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Association of the U.S.

The Towner-Sterling bill

Washington

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The Towner-Sterling Bill

An Analysis of the *Provisions of the Bill*; A Discussion of the *Principles and Policies Involved*; And a Presentation of FACTS AND FIGURES Relating to the Subject

Legislative Commission Series No. 3

THE NATIONAL EDUCATION ASSOCIATION
1201 SIXTEENTH STREET NORTHWEST
WASHINGTON, D. C.
SEPTEMBER, 1922

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FOREWORD

This discussion of the Towner-Sterling bill was prepared for the National Education Association by Mr. Hugh S. Magill, Field Secretary; Mr. John K. Norton, Director of Research; Dr. J. A. H. Keith, President, State Normal School, Indiana, Pennsylvania; and Mr. William H. Bixby, Secretary of the National Committee for a Department of Education, Boston, Massachusetts, with the advice and assistance of the Chairman and members of the Legislative Commission of the National Education Association.

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THE FUNDAMENTAL ISSUES INVOLVED

A discussion of the provisions of the Towner-Sterling Bill involves the consideration of the following questions:

First. Should the Federal Government increase the effective operation of its existing educational activities by unifying them in a Department of Education under a Secretary of Education, and thereby give new sanction and recognized leadership to American public education?

Second. Should the Federal Government extend the established principles of Federal aid to the States for the promotion of education to encourage and assist the States to remedy certain recognized educational defects existing quite generally throughout the country?

Third. Should the conduct and management of public education remain exclusively under State control?

The supporters of the Bill believe that wise public policy demands that each of these three questions should be answered in the affirmative.

OPPOSITION BASED ON FALSE ASSUMPTIONS

Those who have opposed the creation of a Department of Education and further participation of the Federal Government in the promotion of public education base their objections primarily on the assumption that such participation means Federal control of education within the States. They will not concede that the National Government can cooperate with the States in promoting an interest of the highest importance to both State and Nation. They refuse to recognize that such cooperation has been carried on, and is now being carried on successfully. They declare that those who favor the establishment of a Department of Education, and the extension of the principle of Federal aid to the States for the promotion of education, would transfer the responsibility for the support and control of public education from the State and local communities within the State, to the Federal Government, and place the school systems of all the States under a vicious bureaucratic control.

We maintain that these assumptions are without foundation. They can be maintained only by imputing motives that do not exist to those who favor extension of Federal participation in the promotion of education, and by refusing to give proper consideration to past experiences and to constitutional and statutory provisions prohibiting Federal control.

CONSTITUTION FORBIDS FEDERAL CONTROL

It is conceded that our Federal Government can exercise only such powers as are delegated to it by the United States Constitution or clearly implied therein; that the Constitution does not give to the Federal Government or to Congress the control or management of public education within the States; and that the Tenth Amendment to the Constitution expressly provides that "The powers not delegated to the United States by the Con-

situation, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The recent decision of the Supreme Court declaring invalid the Child Labor Law gives added emphasis to this provision of the Constitution. Those who favor the extension of Federal participation in education clearly recognize these facts. The proposed measure which they advocate would embody in statute law the clearest possible declaration of the authority of the States to manage and control their public-school systems.

WHY SUCH UNREASONABLE ASSERTIONS

Under these conditions it is difficult to understand why the opponents of the further participation of the Federal Government in the promotion of education should persist in declaring that such participation will mean "a great bureaucratic machine at Washington, with three-quarters of a million of Federal employees teaching in the schools and bossed by several thousand field inspectors, supervisors, and other petty traveling officials." We insist that such assumptions and imaginings are absolutely unjustified. Starting with a false hypothesis and basing their arguments on false assumptions, they would lead us to believe that those who favor Federal promotion of education would either ignorantly or wilfully bring about conditions disastrous to our free institutions.

EXTENT AND CHARACTER OF SUPPORT

We find earnestly supporting this proposition to establish a Department of Education and extend the principle of Federal aid for the promotion of education, an overwhelming majority of these engaged in the work of public education—State superintendents, county superintendents, normal school presidents, city superintendents, and classroom teachers throughout the country. It is also earnestly supported by many national organizations that are friends of public education. Among these organizations may be named the National Education Association, which represents the professional organization of the educators of the country, and which has repeatedly endorsed this proposition. Among the women's organizations actively supporting it are the General Federation of Women's Clubs, the National League of Women Voters, the Daughters of the American Revolution, the National Congress of Mothers and Parent-Teachers Associations, the National Council of Jewish Women, the National Woman's Christian Temperance Union, and the Woman's Relief Corps. The proposition also has the unqualified support of the American Federation of Labor. Great religious forces such as the International Sunday School Council of Religious Education have given the proposition their endorsement, and it is also supported by a number of fraternal organizations that are particularly friendly to the promotion of public education, among which may be named the Supreme Council of Scottish Rite Masonry for the Southern Jurisdiction of the United States. Finally, the National Committee for a Department

of Education, made up of a number of leading public-spirited citizens, representing various professional and business interests, is giving effective support to the cause.

FORCES OPPOSING THE PROPOSITION

To say that the officers and members of these great organizations would violate the Constitution of the United States and either ignorantly or deliberately bring about Federal bureaucratic control of education within the States, is an attempt on the part of a few to indict the motives and the judgment of millions of intelligent patriotic citizens. It is only fair that attention be called to the forces which are opposing the proposition to further extend Federal aid for the promotion of education. We find this opposition comes primarily from the representatives of private and parochial schools, and a few great privately endowed institutions. We believe it may truthfully be said that the proposition is quite generally supported by those who are interested primarily in public education, and are essentially public-school minded, and opposed by a limited number of those who represent privately supported and privately endowed institutions. It is significant, however, that the departments of education in privately endowed universities, which are in touch with the problems of public education, generally support the proposition.

OPPOSITION PICTURES TYRANNY OF FREE GOVERNMENT

It is astonishing to note the extremes to which the opponents of this proposition have gone in undertaking to picture in their imagination the dire consequences which will follow the further participation of the Federal Government in the promotion of education. They would frighten us into thinking that Federal participation means Federal control, and that Federal control must end in the destruction of our liberties. In frantic appeal we are called upon as American citizens to save ourselves from the tyranny and usurpation of our own Government, which, we are warned, is developing conditions "that will put to shame the best efforts of the government of the Czar of all the Russias when in the heyday of its glory." A tyranny worse than that of the Czar! A terrible indictment, if it were true. But we still have faith in our National Government and refuse to be frightened by this terrible warning of impending tyranny. We have confidence that our Nation will continue to be what it has been from the beginning, a Government of the people and by the people; and since it is the people's own Government, the people may well have greater faith in its leadership than in leadership furnished by private institutions, endowed and supported by great private interests.

OPPOSENTS SET UP AUTOCRATIC SECRETARY

Those who oppose the creation of a Department of Education with a Secretary in the President's Cabinet would continue their policy of frightfulness by picturing in their wild flights of imagination the horrible spectacle of a Secretary of Education, actuated by base political motives, corrupting the youth of the country through such wicked influences as he might be able to exert through the school systems of the several States. Such assumptions are too ridiculous to impress any serious-minded person. Any President might reasonably be expected to be particularly careful in the selection of a Secretary of Education. The occupant of this position of great responsibility must stand out prominently before the people, his every act and recommendation subject to public analysis and criticism. To begin to do some of the things that have been suggested he might do, would bring instant and general rebuke from the people, without regard to political affiliations. As one United States Senator remarked, "To undertake to play politics in this position would be the poorest kind of politics." But why should anyone impune the motives of a Secretary of Education in advance? Is it any more just or reasonable than to condemn in advance the Secretary of Agriculture or the Secretary of Commerce? To refuse to establish leadership and delegate authority because of such imaginary fears would make impossible the realization of the highest purposes of free government.

NO ONE ADVOCATING FEDERAL CONTROL

Who is advocating Federal control of education? Certainly not those who are supporting the proposition to establish a Department of Education and extend the established principle of Federal aid for the promotion of education. They are the ones who are most strongly opposed to Federal control of education within the States. What they seek is Federal aid and cooperation with the States in developing a stronger, better trained, more intelligent American citizenship. Is it reasonable to suppose that State Superintendents would wish to turn over to the Federal Government their rights and prerogatives? And yet State superintendents favor this proposition because they recognize the advantages which have come from Federal cooperation with the States in the past, and the still greater advantages which will be derived from the further extension of this principle.

PROPOSITION BASED ON ESTABLISHED PRINCIPLES

There is nothing new in this proposition. It has been thoroughly tried out and found absolutely sound in principle and practice. Other departments have been established to cooperate with the States in promoting interests of National importance. The Department of Agriculture was created in response to a demand from the agricultural interests of the country, not to control agriculture but for the promotion of agriculture,

and the benefits which have resulted therefrom are apparent. The Department of Labor was created at the request of the labor interests of the country, not to control labor but to promote the interests of labor, and no one can show that Federal domination has followed. The Department of Commerce was created at the request of the commercial interests of the country for the promotion of commerce. The good which this department has accomplished is well known. Why deny to public education for its welfare and promotion a similar recognition?

MANY PRECEDENTS FOR FEDERAL AID

The Federal Government has cooperated with the States in the promotion of education from the founding of our Nation. Common schools have been promoted by grants of land and money from the Federal Government. Colleges of agriculture and mechanic arts were founded by land-grants given by the Federal Government and are today aided by grants of money from the Federal treasury. Agricultural education is encouraged and promoted by the cooperation of the Federal Government with the States under the Smith-Lever Act, and vocational education is similarly promoted under the Smith-Hughes Act.

CAUSES OF FRICTION ELIMINATED

Any friction that has arisen in the administration of these Acts has come from the fact that they authorize too much detailed supervision. These defects have been remedied in the Towner-Sterling Bill under which it is proposed to extend the principle of Federal aid. While there is preserved to the Federal Government the unquestioned right to audit the expenditure of such funds as may be apportioned to the States for the specific purposes named, and while certain general and very reasonable statutory requirements are set up which must be complied with by the States in order to receive the Federal grants, all details of organization, supervision and control are reserved to the States, to be carried on under State law by the State and local educational authorities of the several States.

WHAT THE BILL PROVIDES AND WHAT IT DOES NOT PROVIDE

Let us consider what the Towner-Sterling Bill provides and what it does not provide. The complete text of the bill is given as an appendix to this pamphlet. It is its own best defense. All who are interested in the question of the further participation of the Federal Government in the promotion of public education should read this bill and weigh carefully its provisions. It has been grossly misrepresented. In published articles and public addresses it has been declared to provide what it specifically prohibits. Those who would know its provisions are urged not to accept the unsupported statements of its enemies, but to read it and form their own conclusions.

EMBODIES TWO FUNDAMENTAL PRINCIPLES

The Towner-Sterling Bill embodies two fundamental principles. First, it creates a Department of Education under a Secretary of Education who shall be a member of the President's Cabinet; and second, it authorizes appropriations to be distributed to the States to aid and encourage the States in (a) the removal of illiteracy, (b) the Americanization of the foreign-born, (c) the promotion of physical education and health service, (d) the training of teachers, and (e) the equalization of educational opportunities within their several borders.

STATE CONTROL CAREFULLY PRESERVED

The Bill is drawn in careful recognition of the fact that the control and management of public education within the States is *exclusively* a function of the respective States, to be carried on under State laws. The Bill does not establish Federal control of education. On the contrary, it forbids Federal control in most specific terms, and preserves to each State the absolute control of its educational system. It provides:

That all the educational facilities encouraged by the provisions of this Act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State, and the Secretary of Education shall exercise no authority in relation thereto; and this Act shall not be construed to imply Federal control of education within the States, nor to impair the freedom of the States in the conduct and management of their respective school systems. (H. R. 7, 67th Congress, Sec. 13.)

CREATES NATIONAL COUNCIL OF EDUCATION

The Bill provides for National leadership in education through the creation of a National Council of Education composed of the State Superintendents or Commissioners of Education of all the States, and in addition twenty-five educators and twenty-five laymen to be appointed by the Secretary of Education, "to consult with the Secretary of Education on subjects relating to the promotion and development of education in the United States." (*Ibid.*, Sec. 17.)

SECRETARY NOT GIVEN MANDATORY POWER

The Secretary of Education is not given mandatory power, nor does the Bill permit him to establish any executive standards. The influence of the Federal Government, under the provisions of this measure, must be exercised only through the persuasiveness of facts and suggestions emanating from a source of recognized leadership.

NO FIXED APPROPRIATION AUTHORIZED

The Towner-Sterling Bill does not appropriate one dollar. It authorizes the appropriation of certain sums to encourage the States in the promotion of education for the five specific purposes named in the Bill, but in each case, after the amount specified, is the phrase, "or so much thereof as may be necessary." This leaves it entirely to the judgment of Congress to determine the amount which may be appropriated each year for the different purposes named, but, at the same time, the Bill fixes upper limits, beyond which Congress cannot go, unless and until the Act is amended in due form.

PROVIDES NO FEDERAL INSPECTORS OR SUPERVISORS

The Bill does not provide for a single field inspector, supervisor or other Federal officer within the States. The only officials provided for in the Bill are the Secretary of Education, an Assistant Secretary of Education, a Chief Clerk, a Disbursing Clerk, and "such chiefs of bureaus and clerical assistants as may from time to time be authorized by Congress." But these are all to be in the department at Washington. Under the provisions of this Bill there will be no occasion for Federal employes in the States, as the Bill provides that "All funds apportioned to a State (for the several purposes named), shall be distributed and administered in accordance with the laws of said State, . . . and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes (of the several apportionments) within said State in accordance with the laws thereof." (*Ibid.*, sections 7, 8, 9, 10, and 11.)

The proposals embodied in the Towner-Sterling Bill are not new. Educational authorities have for years recognized the need of a Federal Department of Education to provide National leadership in education. The National Education Association went on record in favor of the establishment of such a Department more than fifty years ago, and it has over and over reaffirmed its endorsement of this position. Federal aid to the States for the promotion of education has been practiced since the beginning of our Government. The Towner-Sterling Bill would extend this principle to meet certain conditions and correct certain defects that have become more apparent during the past few years.

BRIEF HISTORY OF THE BILL

The recent World War emphasized the shortcomings and defects, as well as the excellencies and strengths of the public-school systems of our several States. As never before the people became aware of the prevalence and extent of illiteracy, of non-English-speaking aliens and foreign settlements in our midst, of physical defects which might be remedied, of poorly qualified and inadequately paid teachers, and of glaring inequalities in educational opportunities throughout the country. Each of these defects was seen to have a damaging influence on our successful prosecution of the war. The situation was described in a war-born term as an "emergency," but it existed before the war, and it still exists. It calls for remedy from the standpoint of the individual, the community, the State, and the Nation, because these educational defects are as disastrous to the individual, the community, the State, and the Nation in times of peace as they are in times of war.

Realizing its responsibility to the Nation—a responsibility growing out of its intimate acquaintance with these educational defects—the National Education Association in February, 1918, appointed a "Commission on the Emergency in Education." This Commission was aware of the fact that the sovereign right and power to organize, supervise, and administer public education in the several States is vested in the States under the provisions of the Federal Constitution. The Commission was also aware of the fact that the Federal Government has aided public education in the several States during its entire existence. This policy of Federal aid to public education in the States grew out of a clear perception by the founders of our Nation of the necessary relationship between education and democracy. The effective exercise of every sovereign power of our National Government is dependent upon intelligent, right-minded citizenship. An educated citizenry is the first great need of today, just as it was the first great need of the new Republic in 1789.

BILL PREPARED BY NATIONAL EDUCATION ASSOCIATION

The Commission of the National Education Association prepared a measure which was introduced in the Senate in October, 1918, by Senator Hoke Smith, of Georgia, and which was known as the Smith Bill. This original bill followed quite closely the provisions contained in the Smith-Lever and Smith-Hughes Acts. Certain of these provisions were justly criticized as permitting too much Federal interference. These objectionable features were eliminated and the bill carefully revised and reintroduced in the Senate at the opening of the special session of the Sixty-sixth Congress in May, 1918, by Senator Hoke Smith. It was introduced in the House by Representative Horace Mann Towner, of Iowa, and was known throughout the Sixty-sixth Congress as the Smith-Towner Bill. It was favorably reported by both the House and Senate Committees on Educa-

tion near the close of the Sixty-sixth Congress in February, 1921, but did not come to a vote in either House. The bill was again revised, and at the opening of the special session of the Sixty-seventh Congress in April, 1921, was reintroduced in the House by Congressman Towner, and in the Senate by Senator Thomas Sterling, of South Dakota. The bill is known in the present, or Sixty-seventh Congress, as the Towner-Sterling Bill and is now pending in the Committees on Education of the Senate and House.

MEASURE ATTRACTS NATION-WIDE ATTENTION

Probably no bill ever introduced in Congress has been so widely distributed, so thoroughly considered, and so generally discussed. The public printer has stated that more copies of this bill have been called for than of any other bill before Congress. More than a hundred thousand copies of the bill have been printed and distributed. The repeated assertion of the opponents of the measure that it has not received thorough consideration is without foundation in fact. The National Educational Association and other organizations have printed and distributed thousands of copies of the bill, and pamphlets discussing its provisions, and the measure has been given consideration and discussion in educational publications and in the press in general.

QUOTATION FROM ADDRESS BY JUDGE TOWNER

To determine accurately the intent and purpose of any proposed legislation it is well to have the interpretation which is put upon it by its authors and sponsors in Congress. The following is a quotation from an address delivered at the University of Illinois on December 2nd, 1921, by Congressman Horace Mann Towner, of Iowa, author of the bill in the House of Representatives:

To claim that anyone, sponsor or supporter of the pending educational bill, desires or expects National control of education to follow the enactment of the legislation under consideration is without the slightest sanction. To state that the emphatic and repeated negations expressed in the strongest language that can be used which are incorporated in the very terms of the proposed law mean nothing and will not be effective, is to say that no law can be made effective by its terms.

But while Congress has no desire nor purpose nor constitutional power to take from the States the control of education, the General Government has the right to aid and encourage the States in the education of their and its citizens, and this right it has exercised repeatedly from the beginning of our history to the passage of the last Appropriation Act. It granted sections of the public lands to the States for schools. It granted townships of land for the creation and the support of universities. Lands were given as long as they lasted, and then money was given. Congress gives annually over two and a half million dollars from the National Treasury for the "support and further endowment of colleges of agriculture and mechanic arts." Every year we give tens of millions of dollars from the National Treasury in support of almost every form of education.

Why is it that these grants are not opposed? Why is it that where education is so much needed, at the very bottom of our political and social structure, where it enters into the very texture of the fabric of our American citizenship—in form about which there is no controversy and in substance the acknowledged essential—why is it that when it is proposed to strengthen our common school system the proposition is condemned and opposed? It must be that such opposition is based

upon a misconception of the proposed legislation. To think otherwise would be to believe that there are in our country those who really desire the destruction of our common school system. Such belief no loyal American would desire to entertain.

QUOTATION FROM ADDRESS BY SENATOR STERLING

The following quotation is taken from an address delivered at the University of Illinois on December 2nd, 1921, by Senator Thomas Sterling, of South Dakota, author of the bill in the Senate:

It seems to me, viewed from the national standpoint, that the significance of Federal aid to education can no longer be open to conjecture. Further, that the aid thus far given in lands or in money has resulted in promotion of the general welfare, there can be little doubt. But there are present-day exigencies not within the scope of existing legislation, to aid in meeting which, is, in my judgment, the imperative duty of the General Government. They cannot be met by a submerged and unrelated bureau in the Department of the Interior, empowered to gather and distribute statistical information. Nor can they be adequately met by Federal contributions only for specific objects to be matched by equal contributions on the part of the States accepting them. The vital importance of the subject, its intimate relation to the well-being and safety of the people—and this is the highest law—as well as the dignity of the subject, all combine to urge as the next great step the creation of a Department of Education, with its Secretary a member of the President's cabinet, whose proper function it shall be, not alone to administer funds apportioned to the States, important though this may be, but through investigation and research to cover the whole field of our educational resources and needs; and which, without dictation, without ignoring State plans or encroaching upon the freedom of State initiative, shall from its higher vantage ground encourage, stimulate, and lead in every constitutional cooperative educational enterprise that will enhance the general welfare.

THE CREATION OF A DEPARTMENT OF EDUCATION

Having considered the general principles, provisions and history of the Towner-Sterling Bill, let us now consider in greater detail from three standpoints the particular provisions of this proposed act relating to the creation of a Department of Education with a Secretary in the President's Cabinet.

A. From the standpoint of the historic development of the executive departments of the Government that do not exercise powers of National sovereignty.

B. From the standpoint of the effective administration of the Nation's present participation in education.

C. From the standpoint of the need of recognized National leadership in public education.

A. From the standpoint of the historic development of the executive departments of the Government that do not exercise powers of National sovereignty.

ORIGINALLY THREE EXECUTIVE DEPARTMENTS

When our Federal Government was established, three executive departments were created: The Department of State, the Department of The Treasury, and the Department of War. The heads of these departments, together with the Attorney-General, were the President's immediate advisers and came to be known as the President's Cabinet. In 1798 Congress established the Department of the Navy, and a fifth Cabinet officer was created. In 1829 the Postmaster General was elevated to Secretarial rank and made a member of the President's Cabinet. In 1849 the Department of the Interior was created, and to it were assigned certain more or less unrelated activities that had been in the other departments, including Indian Affairs and Pensions from the War Department, the Patent Office from the State Department, and the Land Office from the Treasury Department. These seven Cabinet members were each in charge of the administration of affairs over which the Federal Government had control under the provisions of the Constitution. It was thought then that there would be no further additions to the President's Cabinet.

DEPARTMENT OF AGRICULTURE ESTABLISHED

In 1862, in response to the urgent demands of the agricultural interests of the country, a Department of Agriculture was created, but not under a Secretary in the President's Cabinet. The opponents of the creation of a Department of Agriculture in Congress argued that inasmuch as the Federal Government had not been granted authority by the Constitution to control agriculture, it was illogical, if not unconstitutional, to create such a department. Those who favored the creation of this new depart-

ment conceded that the Federal Government could not control Agriculture, and that they did not wish such control; but they claimed that it was within the province of the Federal Government to promote agriculture, and that because of the importance of the subject from a National standpoint, agriculture should receive such recognition.

The Department grew very rapidly in influence and usefulness, and in 1889 Congress passed a law placing its head in the President's Cabinet, with the title, Secretary of Agriculture. In the creation of the Department of Agriculture the precedent was established of having a Department with a Secretary in the President's Cabinet for the promotion of an interest of recognized National importance, over which the Federal Government was not given control under the provisions of the Constitution.

DEPARTMENT OF COMMERCE AND LABOR CREATED

The business interests of the country soon thereafter started a movement for the creation of a Department of Commerce with a Secretary in the President's Cabinet to represent and promote the great commercial interests of the country. The labor interests requested that their welfare should also be promoted, and they sought the creation of a Department of Labor with a Secretary in the President's Cabinet. In 1903 Congress responded to these demands by the creation of the Department of Commerce and Labor. Ten years later, in 1913, this Department was separated into the Department of Commerce and the Department of Labor, each under a Secretary in the President's Cabinet.

The arguments made in Congress in support of the creation of these last two departments were the same as those made in support of the creation of the Department of Agriculture; namely, that they represent interests of such great National importance as to deserve this recognition, and that the purpose of the Department should be not to control, but to promote these interests. It is clear, then, that of the ten existing executive departments the first seven administer affairs over which the Federal Government has control under the provisions of the Constitution, and that the last three exist not to control, but to promote the interests of Agriculture, Commerce, and Labor. The purpose of public education is the development of an intelligent citizenship. This is as important to the welfare and perpetuity of our American institutions as is the promotion of Agriculture, Commerce, or Labor.

B. From the standpoint of the effective administration of the Nation's present participation in education.

The Federal Government has promoted education from its very foundation. Through the years there has grown up a great number of educational activities which are administered or promoted under numerous unrelated boards, bureaus, and commissions. The extent to which the Federal Government is now engaged in educational work is shown by the following table:

FEDERAL APPROPRIATIONS FOR EDUCATION

| Including only "education" or "training" in Schools, or their equivalent. Data furnished by the Educational Finance Inquiry | 1921 Amount | Per cent of total without world war vocational rehabilitation | Per cent of total with world war vocational rehabilitation |
|---|---------------------|---|--|
| GENERAL EDUCATION: | | | |
| U. S. Bureau of Education..... | \$162,045 | 0.4 | 0.1 |
| Payments to School Funds, Arizona and New Mexico, National Forest Fund | 85,000 | | |
| Payment from Forest Fund for Schools, Roads | 600,000 | | |
| Public schools Alaska fund..... | 50,000 | | |
| Education natives of Alaska..... | 331,318 | | |
| Indian Schools..... | 4,629,712 | | |
| Howard University..... | 243,000 | | |
| Total, without D. C..... | 6,101,075 | 14.7 | 4.1 |
| District of Columbia..... | 5,568,069 | | |
| Total, with D. C..... | 11,669,144 | 28.0 | 7.8 |
| Per cent of increase over 1911: | | | |
| U. S. Bureau of Education..... | 124.4 | | |
| Total, without D. C..... | 41.5 | | |
| Total, with D. C..... | 55.6 | | |
| VOCATIONAL EDUCATION FOR CIVILIANS: | | | |
| Salaries and Expenses, Federal Board for Vocational Education..... | 200,000 | | |
| Colleges for Ag. and M. A..... | 2,500,000 | | |
| States Relations service..... | 8,220,462 | | |
| Co-op. Vocational Education in Agriculture | 1,268,000 | | |
| Vocational Rehabilitation of Persons Disabled in Industry..... | 871,000 | | |
| Co-op. Vocational Education in Trades and Industry..... | 1,278,000 | | |
| Co-op. Vocational Education for Teachers | 1,090,000 | | |
| Total | \$15,427,468 | 37.1 | 10.3 |
| EDUCATION FOR DEFENSE OR WAR NEEDS: | | | |
| West Point Military Academy..... | \$2,142,213 | | |
| War College, Gen. Staff..... | 25,000 | | |
| U. S. Service Schools..... | 100,000 | | |
| Instr. Field Art. Activities..... | 6,000 | | |
| Coast Artillery School..... | 28,000 | | |
| Engineer School | 40,000 | | |
| Vocational Training for Soldiers..... | 3,500,000 | | |
| Military Equip. Colleges..... | 100 | | |
| Civilian Schools, Ordnance Reserves..... | 61,800 | | |
| Civ. Military Training Camps..... | 225,887 | | |
| Quartermaster Supplies R. O. T. C..... | 3,100,000 | | |
| Training Officers in Aeronautics..... | 26,512 | | |
| State Marine Schools..... | 75,000 | | |
| Naval Academy | 3,915,408 | | |
| Summer School for Boys..... | 200,000 | | |

FEDERAL APPROPRIATIONS FOR EDUCATION

| Including only "education" or "training" in Schools, or their equivalent. Data furnished by the Educational Finance Inquiry | 1921 Amount | Per cent of total without world war vocational rehabilitation | Per cent of total with world war vocational rehabilitation |
|---|--------------------|---|--|
| Naval War College..... | 90,950 | | |
| Naval Training Stations..... | 975,000 | | |
| <i>Total without Vocational Rehabilitation, World War.....</i> | <i>14,511,870</i> | <i>34.9</i> | <i>9.7</i> |
| Vocational Rehabilitation, World War..... | 108,000,000 | | |
| <i>Total, with Vocational Rehabilitation, World War.....</i> | <i>122,511,870</i> | <i>....</i> | <i>81.9</i> |
| Per cent of increase over 1911, | | | |
| Without Vocational Rehabilitation, World War..... | 414.2 | | |
| With Vocational Rehabilitation, World War..... | 4241.0 | | |
| <i>Grand Total:</i> | | | |
| Without Vocational Rehabilitation, World War..... | \$41,608,482 | 100.0 | |
| With Vocational Rehabilitation, World War..... | 149,608,482 | | 100.0 |
| Per cent of increase over 1911, | | | |
| Without Vocational Rehabilitation.. | 209.8 | | |
| With | 1013.9 | | |

CO-ORDINATION WOULD PROMOTE EFFICIENCY

The foregoing educational work is scattered among several departments. The successive educational acts of Congress creating these educational activities were passed without a clear plan of coordination. Effective administration demands that all of these Federal activities, except such as are organically related to the work of some existing department, should be coordinated and unified under one executive head. This unification is provided for in the Towner-Sterling Bill. Starting with the Bureau of Education, the educational activities of the Federal Government may be transferred to the Department of Education as rapidly and as completely as Congress may determine wise and expedient.

The recognized National importance of education demands that it should be given equal rank with the other general welfare activities of the Government, not exercising National sovereignty—Agriculture, Commerce, and Labor—each of which exists as a constructive governmental agency for the promotion of a great National interest, and each of which is administered by a department under a Secretary in the President's Cabinet.

C. From the standpoint of the need of recognized National leadership in public education.

As previously stated in this brief, the conduct and management of public education, within the States, is exclusively a State function. This fact is established by the Federal Constitution. The advocates of the Towner-Sterling Bill have persistently and consistently opposed Federal control of

education. The Towner-Sterling Bill differs from other Acts granting Federal aid in that it guards and preserves State and local control more carefully than any other Act granting Federal aid which has been enacted or proposed.

NATION VITALLY INTERESTED IN EDUCATION

However, the National consequences of education as carried on by the several States are as far reaching and inescapable in the United States as they are in those Nations which directly exercise sovereign power over education. Our Federal Government can never be indifferent to what is being done in education in the several States because the ill effects of mal-education and lack of education are as inescapable as the good effects of proper education. The guaranteed freedom of movement from one State to another (Constitution, Article 4, Section 2) makes us as interdependent educationally as we are economically.

PURPOSE OF EDUCATION TO DEVELOP GOOD CITIZENS

The primary purpose of education from the standpoint of the State and the Nation is to develop good citizens. It must be conceded that a citizenry physically, intellectually, and morally sound is essential to the life and prosperity of our Republic, since a Government of the people can be no stronger than the composite citizenry of which it is composed. The privileges and responsibilities of American citizenship are not affected by State boundaries. Whatever tends to elevate and strengthen the quality of citizenship in any State promotes the welfare of the entire country, and any weakness or disorder in any State subtracts from the general health and security of the Nation. It becomes the imperative duty, of the Federal Government, therefore, to encourage and promote education in all the States to the end that every American child shall have an opportunity for the fullest physical and intellectual development of which he is capable, thereby conserving and developing the human resources of the Nation. Education is the Nation's best insurance and its only assurance.

DEPARTMENT OF EDUCATION ESSENTIAL

That the Federal Government may perform its proper function in the promotion of education in the States, there should be created a Department of Education at Washington, thereby giving to education such dignity and prominence as will attract public recognition, and it must be under such leadership as will command the respect and confidence of the educational forces of the country. This is absolutely essential. Anything less means failure. The leadership of the Federal Government in the promotion of public education cannot and should not be mandatory, but must be exercised through the persuasiveness of facts, principles, and procedures scientifically arrived at—a leadership that comes from conference and counsel.

It is too much to expect the public to accept the educational leadership of an undersecretary or bureau chief who is not allowed to express an opinion on any public question without first obtaining permission from the head of the Department, and whose salary is far below what is regarded as a fair compensation for persons of recognized National leadership. The educational leader of the Nation, because of the paramount importance of education, must hold an outstanding position with powers and responsibilities clearly defined and subordinate to no one except the President.

The Towner-Sterling Bill makes ample provision for such leadership. The Bill provides that "research shall be undertaken in (a) illiteracy; (b) immigrant education; (c) public education, and especially rural education; (d) physical education, including health education, recreation, and sanitation; (e) preparation and supply of competent teachers for the public schools; (f) higher education; and in such other fields as in the judgment of the Secretary of Education may require attention and study." (H. R. 7, 67th Congress, Sec. 5.)

NATIONAL COUNCIL ON EDUCATION ESTABLISHED

The Towner-Sterling Bill also provides for a "National Council on Education to consult and advise with the Secretary of Education on subjects relating to the promotion and development of education in the United States. The Secretary of Education shall be chairman of said council, which shall be constituted as follows: (a) the chief educational authority in each State designated to represent said State in the administration of this Act; (b) not to exceed twenty-five educators representing the different interests in education, to be appointed annually by the Secretary of Education; (c) not to exceed twenty-five persons, not educators, interested in the results of education from the standpoint of the public, to be appointed annually by the Secretary of Education." (H. R. 7, 67th Congress, Sec. 17.)

This National Council will bring to the Secretary the views of the leaders in education in all the States, and at the same time enable the Secretary of Education to give to these State leaders suggestions for the promotion of education from the National standpoint, based upon the research and investigations of the Department. The recommendations of the Secretary can never be mandatory. His influence will depend upon the soundness of his recommendations and the strength and wisdom of his leadership.

SECRETARY GIVEN NO AUTOCRATIC POWER

The assertions of the opponents of the Towner-Sterling Bill that the Secretary of Education will be an "autocrat" surrounded by "a horde of bureaucratic chiefs," and "bossing the teachers of the country" is absurd. Any fair-minded person who will read the provisions of the Bill will be convinced that such assertions are either misrepresentations or

erroneous deductions from false assumptions which are without foundation in fact. Let us again call attention to the provisions of the Bill "That all the educational facilities encouraged by the provisions of this Act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State, and *the Secretary of Education shall exercise no authority in relation thereto: and this Act shall not be construed to imply Federal control of Education* within the States, nor to impair the freedom of the States in the conduct and management of their respective school systems." (H. R. 7, 67th Congress, Sec. 13.)

THE EXTENSION OF THE PRINCIPLE OF FEDERAL AID FOR THE PROMOTION OF EDUCATION

Let us now consider somewhat in detail the extension of the principle of Federal aid for the five specific purposes set forth in the Towner-Sterling Bill:

- A. Removing illiteracy,
- B. Americanizing the foreign-born,
- C. Establishing effective programs of physical education,
- D. Providing well-qualified teachers for all public schools, and
- E. Equalizing educational opportunities within the States.

FEDERAL AID CONSIDERED HISTORICALLY

Let us first consider the principle of Federal aid to education historically, and then turn to present conditions and needs, and to the remedies proposed by the Towner-Sterling Bill.

It will be profitable to note the principles already established by educational Acts of Congress.

1. The Federal Government has established its right to encourage public schools by grants of land.

The Land Act of 1785 set aside Lot No. 16 in every township of the Northwest Territory for the maintenance of public schools within said townships. In 1848 this bounty was increased to two sections in each township. Under the first of these provisions, 640 acres in each township were given to each of twelve States; under the second provision, 1,280 acres in each township were given to each of sixteen States for public schools.¹

2. The Federal Government has established its right to encourage public schools by appropriation of money.

Oklahoma was given \$5,000,000 when admitted as a State in lieu of certain sixteenth section lands, title to which was vested in the Indians.²

3. The Federal Government has established its right to encourage the establishment of colleges and universities by grants of land and money.

This has been done repeatedly. The first form of grant was the traditional "two townships" beginning with the grant to the Ohio Company. Later came salt lands, internal improvement lands, swamp lands, and finally, lands for the endowment of Colleges of Agriculture and Mechanic Arts. The Hatch Act, the second Morrill Act of 1890, the Nelson Act,

¹ *The Nation and the Schools*, Keith and Bagley, pp. 28 and 29.

² *Ibid.*, Keith and Bagley, p. 31.

and the Adams Act have established the right to give money as well as lands for the maintenance and endowment of colleges.¹

4. The Federal Government has established its right to enter into cooperative arrangements with the States for specific educational purposes.

This is shown by the various Acts relating to the endowment of colleges, and also, in the Smith-Lever and the Smith-Hughes Acts, in which definite cooperative relationships were set up for the purpose of encouraging education.²

5. The Federal Government has established its right to encourage all kinds of educational and welfare work.

In 1921, the Federal Government, as is shown in a table on another page of this report, spent \$149,608,482 for educational purposes. We have in the Department of Agriculture, the States Relations Service, and in the Department of Labor, the Children's Bureau, and also promotional agencies in other departments.

6. The Federal Government has established its right to promote the preparation of teachers.

The Smith-Hughes Act appropriates money "for the purpose of cooperating with the States in preparing teachers, supervisors, and directors of . . . (vocational) subjects."

7. The Federal Government has established its right to collect and disseminate information.

The Departments of Agriculture, Commerce, and Labor, and other Departments, send out a great mass of such information yearly. The Bureau of Education in the Department of the Interior has for years sent out bulletins containing educational information.

PRINCIPLE OF FEDERAL AID THOROUGHLY ESTABLISHED

The foregoing Acts of Congress have been in operation for years, are now in operation, and have been *undisturbed by any adverse court decision*. They constitute, therefore, precedent sanctioned by law, and prove that the principle of Federal aid for Nationally desirable ends is clearly and firmly established.

This principle is approved by President Harding who, on October 1, 1920, when a candidate for the Presidency, said:

The Federal Government has established the precedent of promoting education. It has made liberal grants of land and money for the establishment and support of Colleges of Agriculture and Mechanic Arts, and in more recent years has made appropriations for vocational education and household arts. Without interfering in any way with the control and management of public education by the States, the Federal Government should extend aid to the States for the promotion of physical education, the Americanization of the foreign-born, the eradication of illiteracy, the better training of teachers, and for promoting free educational opportunities for all the children of all the people.

¹ *Ibid.*, p. 102.

² *Ibid.*, pp. 102 and 103.

So much for the historical aspects of the question and the precedents that have clearly shown the right of the Federal Government to carry on educational functions both independently and in cooperation with the States.

FEDERAL AID NEEDED TO REMEDY EXISTING CONDITIONS

Let us now consider existing conditions and needs that make it desirable for the Federal Government to encourage the States to carry on a more vigorous program in specific educational fields as provided in the Towner-Sterling Bill.

It may be stated at the outset that there is no disagreement as to existing educational conditions in the country. The seriousness of present conditions has been recognized and conceded by opponents of the Towner-Sterling Bill. Dr. Alexander J. Inglis, Professor of Education, Harvard University, made the following statement in an address at the February, 1922, meeting of the Department of Superintendence of the National Education Association:

In the first place let us recognize that in all parts of this country public education is very, very far from being that which we should all like to see it, that in parts of the country it is almost unbelievably bad, that vocational education has scarcely begun to be recognized, that the amount of illiteracy and of near-illiteracy is alarmingly great, that attention to physical education throughout the country is almost negligible, that our large foreign population constitutes a serious problem for education and for society, that most country children do not have anything like a fair opportunity for education, that in many sections of the country short school terms make effective education all but impossible, that a large part of our teachers lack proper education, training, and experience—let us recognize all these and many other defects of education too numerous to catalog. They are conditions which cry aloud for reform in the appealing voices of children deprived of their rights as American citizens. They are undoubted and indubitable facts which cannot be ignored.

In order that these conditions may be known in something more than general terms let us now consider in detail, for each of the specific educational fields with which the Towner-Sterling Bill concerns itself, the conditions as they now exist, and, at the same time, note how the Bill proposes that the Federal Government shall encourage the States to meet these conditions adequately.

A. Removing Illiteracy

Let us first examine the facts concerning the prevalence of illiteracy in the country. The accompanying table shows, according to the Federal census of 1920, that there were 4,931,905 illiterates ten years of age and over.

| <i>Illiterates in the United States</i> | |
|---|-----------|
| 1900----- | 6,180,069 |
| 1910----- | 5,516,163 |
| 1920----- | 4,931,905 |

In twenty years the decrease has amounted to 1,248,164, or an average annual decrease of 62,408. If this rate of decrease continues, illiteracy will not disappear for eighty years. This is a discouraging prospect.

If we disregard the negro and consider the white population alone, we get less comfort, as the accompanying table shows.

White Illiterates in the United States

| | |
|-----------|-----------|
| 1900----- | 3,200,746 |
| 1910----- | 3,184,633 |
| 1920----- | 3,006,312 |

There was a decrease of 194,434 in the number of white illiterates between 1900 and 1920, or an average annual decrease of 9,721. At this rate it would require 310 years to remove illiteracy from our white population. If it had not been for the war, which prevented the entrance into the country of the usual thousands of immigrant illiterates, the situation would be even more discouraging.

During this same twenty-year span, 1900 to 1920, the native white illiterates decreased from 1,913,611 to 1,242,572, or an average annual decrease of 33,552. At this rate, illiteracy among our native whites will not disappear until after a lapse of thirty-eight years.

Native White Illiterates in United States

| | |
|-----------|-----------|
| 1900----- | 1,913,611 |
| 1910----- | 1,534,272 |
| 1920----- | 1,242,572 |

The number of illiterates of voting age in our population in 1920 was 4,333,111. This number is sixteen per cent of the total vote at the 1920 Presidential election. If the rate of reduction in the number of illiterates over twenty-one years of age, which took place between 1910 and 1920, is maintained, illiteracy will not disappear from among those over twenty years of age until 180 years have passed. Now that the war is over, hundreds of thousands of aliens are once again entering our country each year.¹ The illiteracy law will decidedly cut down the number of illiterates admitted, but will not completely cut off the inflow of illiterates from this source, since certain exceptions in the law allow illiterates to be admitted to the country. In 1921, with the law in full effect, 27,463 illiterate immigrants were admitted.

It is well known that illiteracy does not disappear according to such regular decreases as have been assumed for illustration. It disappears only as the older illiterates are taught and as those who are under the age of ten are so taught that they do not become classed as illiterates. The complete elimination of illiteracy among the native-born whites and negroes is primarily a problem of education during the years of childhood—not a problem of adult training. One section of the Towner-Sterling Bill provides for teaching adult illiterates. Another section relates to the compulsory age of school children.

¹ 1,200,000 entered in the two years, 1920 and 1921. (Annual Report, Com. Gen. of Immigration, 1921, p. 27.)

ILLITERACY PRINCIPALLY AMONG NATIVE BORN

When it is realized that of the 4,931,905 illiterates in the United States in 1920, 3,084,733 were native-born and 1,847,172 foreign-born, the problem is more clearly revealed as principally one of improving our schools. The problem of teaching adult native-born illiterates will, under the Towner-Sterling Bill, be a constantly diminishing one.

Nor is the problem of illiteracy confined to any particular section of the country. The accompanying table shows that New York has more illiterates than any of the three Southern States with the greatest number of illiterates, and that Pennsylvania contains more illiterates than any of the Southern States, except Georgia. That the percentage of illiterates in New York State is smaller is beside the point. The fact remains that New York has the largest illiteracy problem in the United States.

Number of Illiterates, 1920

| | |
|-------------------|---------|
| Northern States— | |
| New York----- | 425,022 |
| Pennsylvania----- | 312,699 |
| Illinois----- | 173,987 |
| Southern States— | |
| Georgia----- | 328,838 |
| Alabama----- | 278,082 |
| Mississippi----- | 229,734 |

Although illiteracy has been reduced in numbers and percentage in the country as a whole, in many of our more important States, it has increased during the decade 1910-1920, as the table below shows, in spite of the fact that the inflow of illiterates from abroad was largely cut off due to the war. In every one of these States there was an actual increase in the number of illiterates and, for the twelve States, there was a total increase of 117,344.

| Division and State. | No. of illiterates 1920. | No. of illiterates 1910. |
|---------------------|--------------------------------|--------------------------------|
| Massachusetts | 146,607 | 141,541 |
| Connecticut | 67,265 | 53,665 |
| New York | 425,022 | 406,020 |
| New Jersey | 127,661 | 113,502 |
| Ohio | 131,006 | 124,774 |
| Illinois | 173,987 | 168,294 |
| Michigan | 88,046 | 74,800 |
| Texas | 295,844 | 282,904 |
| Colorado | 24,208 | 23,780 |
| Arizona | 39,131 | 32,953 |
| Washington | 18,526 | 18,416 |
| California | 95,592 | 74,902 |

It should also be remembered that the right of free movement between the States, guaranteed by the Constitution, makes the illiteracy problem of any State, the potential problem of every State. The 1910 census shows that twenty-two per cent of our native-born population was living in

States other than those of their birth. Transportation is becoming easier in the United States with each succeeding year and we can look forward to a continual increase in inter-State migration. Illiteracy, therefore, cannot be looked upon as being confined to or as the special problem of any State or group of States. It must be looked upon as a matter of National concern and only a general effort among the States to meet it will be successful. In this fact is found the justification for the encouragement of the States through Federal aid, as provided in the Towner-Sterling Bill.

FEDERAL CENSUS UNDERSTATES ILLITERACY PROBLEMS

All the figures thus far quoted in regard to the prevalence of illiteracy in the country are based upon the Federal census. There is evidence to justify the belief that the Federal census greatly underestimates the importance of this problem, due to the definition of illiteracy as made by those in charge of taking the census. In interpreting Federal census figures it should be kept in mind that they are for what might be termed absolute illiterates. The following statements more clearly define this term.

1. No test to determine illiteracy is made by the census enumerator, but the statement of each person enumerated, or a statement made on his behalf by some member of his family or another person, is accepted by the enumerator.¹
2. A statement by a foreigner that he is able to read and write in a foreign language is sufficient to cause him to be returned by the enumerator as a literate.²
3. The Census Bureau classifies as illiterate any person ten years of age or over who is unable to write in any language, . . . regardless of ability to read.³
4. In general the illiterate population as shown by the Census reports should be understood as representing only those persons *who have had no schooling whatever.*⁴
5. . . . the "literate" population in this report should be understood as including all persons who have had even the *slightest amount of schooling.*⁵

An illiterate according to the Federal census, therefore, is one who *confesses* to a total lack of schooling, or rather to a total lack of ability to write. On the other hand literates are defined as "persons who have had even the slightest amount of schooling." When this definition of illiteracy is fully comprehended, the statement that there were five million illiterates in 1920 has a new significance. There are doubtless many illiterates who, due to the fear of the stigma of illiteracy, falsify their statements to the enumerator. In Volume 1 of the 1910 census we find the following statement on this point: "There is undoubtedly a certain margin of error in the statistics of illiteracy. . . . In some cases there may be unwillingness to admit illiteracy. . . ."

That the Federal census was an understatement of the real problem of illiteracy was known before the war. It was not until statistics on illiteracy resulting from the draft became available, however, that it was realized how far the Federal census really hides the problem of illiteracy. The draft figures indicate that in addition to the five million absolute illiterates,

¹ Quoted from communication from Mr. W. M. Steuart, Director of Census, dated April 13, 1922, directed to the National Education Association.

² Advance sheets from the Volume on Population, 1920 census, page 4.

³ Volume No. 1, 1910 census, p. 1185.

there are many other millions who for all practical purposes are illiterates in that they fail to possess the ability to discharge those civic duties that involve the ability to read and write with a reasonable degree of facility. The Director of the Census clearly recognizes this fact. An inquiry on April 11, 1922, was addressed to Mr. W. M. Steuart, Director of the Census, from the National Education Association in which the following question was asked: "If literacy were to be defined as follows: 'The ability to read a simple newspaper article in some language with reasonable speed and comprehension and the ability to write a very simple friendly letter with reasonable speed and accuracy,' is it your belief that the figures given in the 1920 census are an understatement or overstatement of the number of illiterates in the United States?" Mr. Steuart, in reply dated April 13, 1922, over his signature, gave the following: "If illiteracy were defined as suggested by you . . . the census figures would *undoubtedly understate* the number of illiterates in the United States." (Italics ours.)

REVELATIONS OF SELECTIVE DRAFT STARTLING

But let us consider the facts concerning illiteracy as brought out by the draft examinations. In connection with the psychological tests, all men were segregated into two groups, literates and illiterates. A total of 1,552,256 men were examined during the draft. The men examined were distributed among twenty-eight camps, located in every section of the country. The figures below give the summarized results.

| | |
|-----------------------------|-----------|
| Number of men examined----- | 1,552,256 |
| Per cent illiterate----- | 24.9 |

The figures of the Federal census show that in 1920 six per cent of the population over ten years of age were illiterate. The draft figures show that 24.9 per cent of all the men examined were illiterate. The principal cause of the difference between these two figures is probably the difference between the definitions of illiteracy of the census and of the draft. The meaning of illiteracy, according to the census, has been explained above. The meaning of illiteracy according to the draft may be inferred from the following, keeping in mind that literate men were supposed to take the Alpha examination and illiterate men, the Beta examination.

1. "In general it may be said that many of the camps aimed at an 'ability to read and understand newspapers and write letters home' as a basis for the Alpha examination, and that the figures for the number of men taking Beta do approximately reflect this level of literacy."¹
2. The men in charge of segregating the recruits for the two examinations were practically all college trained and had had special training for army examining.
3. In segregating the recruits into two groups, literates and illiterates, the examiners had in mind that the recruit had to be able to read sufficiently

¹ Psychological Examining in the U. S. Army, official report of the Division of Psychology, under Surgeon General U. S. Army, p. 743.

well so that he could do himself justice in a test involving the following type of reading matter:

Test 2—(Alpha Army Test)

Get the answers to these examples as quickly as you can. Use the side of this page to figure on if you need to.

- Samples 1. How many are 5 men and 10 men?..... Answer (15)
 2. If you walk 4 miles an hour for 3 hours, how far do you walk?..... Answer (12)
 1. How many are 30 men and 7 men?..... Answer ()
 2. If you save \$7 a month for 4 months, how much will you save?..... Answer ()
 and so on for 20 increasingly difficult problems.
 4. Recruits not able to read and write in English were classed as illiterates and given the Beta examination.

DRAFT FIGURES VERIFIED BY CAMP INVESTIGATIONS

The official report of Psychological Examining in the army contains, besides the total figures on illiteracy, representing combined figures from various camps, a number of studies of illiteracy made in individual camps. The results of one of these studies made in Camp Wadsworth is quoted as typical. This study, as well as those made in the other camps, was made under the direction of commissioned officers, all of whom were trained psychologists.

The percentage of illiteracy for various localities represented in recent draft examinations is as follows:

| Locality | Date of draft | Number examined | Number illiterate | Per cent illiterate |
|---------------------|---------------|-----------------|-------------------|---------------------|
| New York State..... | May 25, 1918 | 8,965 | 1,484 | 16.6 |
| South Carolina..... | July 5, 1918 | 981 | 487 | 49.5 |
| Minnesota..... | July 24, 1918 | 4,692 | 670 | 14.2 |

The above figures are most significant in the light of the fact that the drafted men from New York State include many foreigners. In spite of that fact the percentage of illiteracy (16.6) seems to be very small when compared with the percentage of illiteracy found among the men reporting from South Carolina. In fact, the percentage for the latter group was found to be so high as to make us doubt the accuracy of the data. A check was therefore made as follows: The records of all South Carolina men in one company were analyzed, with the result that of the 177 men in the company, 109, or 61.6 per cent, were illiterate. It seems from this check that the percentage of illiteracy (49.5 per cent) for the whole group from South Carolina is probably correct.

Such a percentage of illiteracy as is found among the men from South Carolina is startling. Among Virginia negroes reporting at Camp Lee, Va., in the fall of 1917 the percentage of illiteracy was 40 per cent. The conclusion is that the problem of illiteracy among South Carolina drafted men is a most serious one.¹

The unexpectedly high percentage of illiteracy found in various camps was similarly questioned in other camps in all sections of the country with the general result that searching studies revealed them to be substantially

¹ Quoted from Psychological Examining in the U. S. Army, official report of the Division of Psychology, under Surgeon General U. S. Army, p. 746.

correct. The official report on the army tests summarized the whole situation regarding illiteracy by stating that "the extent of illiteracy among drafted men is a striking fact" and indicates "conditions of serious public concern."¹

ILLITERACY IMPAIRS EFFECTIVE CITIZENSHIP

The great difference between the figures for illiteracy given by the Federal census and the Army draft report is due principally to the difference in the definition of illiteracy as used in the two reports. It is not necessary to accept either one absolutely. The question of fundamental importance to the welfare of our Nation is this: In a democracy in which universal suffrage is in force, can we longer safely disregard the facts that 6 per cent, or five million of our population, can be classed as absolute and confessed illiterates, and that 24.9 per cent of our young men are so limited in their literacy that they are unable "to read and understand newspapers and write letters home"? Fine distinctions as to the definitions of illiteracy and the exact percentage of illiteracy in our population are beside the point. The fact clearly exists that an alarming number of our citizens are so limited in their ability to read and write that they are obviously unable intelligently to discharge their civic duties. The condition would be less startling if it had not already been shown that any great reduction in the amount of illiteracy in the country is unlikely in the immediate future unless the Federal Government encourages the States to undertake its removal.

LESS ILLITERACY IN OTHER COUNTRIES

The position of the United States in its tolerance of illiteracy is unique among the enlightened countries of the world. The following table gives the latest facts available for illiteracy in the principal enlightened nations of the world.

Illiteracy in the United States and Foreign Countries²

| Country | Percentage illiteracy |
|---------------------|-----------------------|
| Germany | .1% |
| Switzerland | .5% |
| Netherlands | .6% |
| Finland | .9% |
| Norway | 1.0% |
| Sweden | 1.0% |
| Scotland | 3.5% ³ |
| France | 4.9% |
| England | 5.8% ³ |
| UNITED STATES | 6.0% |

¹ *Ibid.*, p. 743.

² These data are from two sources: (a) Cubberley—History of Education, p. 714; (b) Communications from foreign legations received by National Education Association during April, 1922.

³ The British Library of Information of New York states in 1922 "as far as England and Scotland are concerned, illiteracy is practically unknown except among a few quite old people who did not enjoy the benefits of compulsory education which has been in existence for years."

So much for the present conditions with regard to illiteracy in the United States. That these conditions constitute a problem of serious National concern, few would deny. Under present conditions, however, there is little chance of any great improvement for the better in the immediate future. The whole array of facts calls for a clearer recognition of the problem by the States and a more aggressive attempt on their part to remedy it.

STATES ENCOURAGED TO REMOVE ILLITERACY

The Towner-Sterling Bill goes at the heart of the question directly, in the following language:

In order to encourage the States to remove illiteracy, \$7,500,000, or so much thereof as may be necessary, is authorized to be appropriated annually for the instruction of native illiterates fourteen years of age and over. (H. R. 7, 67th Congress, Sec. 7.)

In order that this money may reach States where it is most needed, the following provision is contained in the Bill:

Said sum shall be apportioned to the States—in the proportions which their respective illiterate population fourteen years of age and over, not including foreign born illiterates, bear to such total illiterate population of the United States. (*Ibid.*, Sec. 7.)

At the same time the initiative of the States is completely protected in the following provision:

All funds apportioned to a State for the removal of illiteracy shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section. (*Ibid.*, Sec. 7.)

Thus, it is seen that the Bill provides a definite step in the direction of removing illiteracy, but that it at the same time limits the authority of the Federal Government to that which may be exercised through the persuasive influence of facts and suggestions emanating from a source of recognized leadership.

B. Americanizing the Foreign-born

Let us examine the facts concerning the number of foreign-born residents in the United States. According to the 1920 census, as the accompanying table shows, there were 13,920,692 foreign-born residents in the United States.

Number of Foreign-born Residents in the United States

| | |
|-----------|------------|
| 1870..... | 5,567,229 |
| 1880..... | 6,679,943 |
| 1890..... | 9,249,960 |
| 1900..... | 10,341,276 |
| 1910..... | 13,515,886 |
| 1920..... | 13,920,692 |

FOREIGN-BORN POPULATION INCREASING

The number of foreign-born has been steadily increasing with each succeeding decade; between 1910 and 1920 there was an increase amounting to 404,806. This was in spite of the fact that the war very decidedly cut down the number of alien immigrants admitted to the country during this decade, as the table below shows.

Number of Alien Immigrants Admitted Yearly

| | |
|-----------|----------------------|
| 1913..... | 1,197,892 |
| 1914..... | 1,218,480 |
| 1915..... | 326,700 |
| 1916..... | 298,826 |
| 1917..... | 295,403 |
| 1918..... | 110,618 |
| 1919..... | 141,132 |
| 1920..... | 430,001 |
| 1921..... | 805,228 |
| 1922..... | 355,825 ¹ |

Equally important with the increase in numbers is the change in the character of the immigrants who have been entering our country. About 1880 the character of immigrants changed in a very remarkable manner. Immigration from the North and West of Europe began declining abruptly and was replaced by an inflow of alien peoples from the South and East of Europe. This flow of people from Southern Europe soon developed into a great stream.

Practically no Italians came to us before 1870, whereas in the five-year period beginning 1906, 1,186,000 arrived from that country alone.² In the decade between 1900 and 1910 there was a loss of 275,911 in the number of people coming from Northwestern Europe, and an increase of 3,215,689 from Southern and Eastern Europe.

NEW TYPE OF IMMIGRANT MAGNIFIES PROBLEM

This enormous influx from countries in which little education exists and in which social and political ideals are so radically different from our own, gives a new significance to the ever-increasing number of aliens in our midst. The seriousness of the double problem created both by the increase in numbers and the change in character of our immigrants has been recognized by Congress, which in May, 1921, passed "An Act to limit immigration of aliens into the United States." This Act is described in the 1921 annual report of the Commissioner General of Immigration as "the first strictly immigration law which provides for actual limiting the number of aliens . . . admitted to the United States." This Act brings

¹ Number fixed by immigration law of 1921.

² See Cubberley, *Public Education in the U. S.*, p. 337.

with it a radical departure from our former immigration policy and yet it still allows 356,000 immigrants to enter our country each year, 153,000 of which may come from Southern and Eastern Europe. If this Act had come twenty years ago, the country would not face the problem presented by the great mass of unassimilated Southern and Eastern European aliens within our borders at the present time. The door has been closed too late, however, and millions of these people are already with us and most of them are here to stay.

The percentage of illiteracy among the foreign born is high, and the number of foreign-born illiterates within our borders has been rapidly increasing, as the accompanying table shows.

Number of Illiterate Foreign-born in the United States

| | |
|-----------|-----------|
| 1900----- | 1,287,135 |
| 1910----- | 1,650,361 |
| 1920----- | 1,763,740 |

In 1920 there were 1,500,000 people over ten years of age in the country who were unable to speak English. The number of illiterates and non-English-speaking aliens, however, is only a partial measure of the need for Americanization. One may be able to speak English sufficiently to pass the census enumerator, and yet not have that degree of literacy which means ability to comprehend the fundamental principles of our Government. To understand and speak English is but a step in making it possible for the immigrant to participate in the conduct of our National affairs.

MANY NATIVE-BORN NEED AMERICANIZATION

Nor is the need for Americanization limited to the foreign-born. The war brought home, for the first time to the average American citizen, the fact that foreign settlements, described as "Alien Islands," exist in various parts of our country. They are found both in the urban and rural sections. These people are often wholly out of sympathy with American ideals, but are not classed as aliens in any Federal census, because often they are removed two or three generations from the original immigrants. In 1920 there were 16,784,299 people in the United States, one or both of whose parents were foreign-born. Millions of these constitute a problem of Americanization even more grave than that presented by the immigrant. Being native-born, they have the right of the ballot, and yet many of them attend foreign-language schools and retain the language and ideals of the country from which their parents or grand-parents came. The problem that these un-American native Americans presented by their "hyphenated" activities during the war is still fresh in the minds of all well-informed Americans. That problem is no less serious today than it was during the war—only less apparent. Millions of people wholly uninformed and out of sympathy with American ideals are living in our country. Such a

menace cannot be safely disregarded in peaceful times. We must not wait until in some National crisis this great mass of unassimilated citizenry turns the balance in the direction of disorder and anarchy. A recent report on Americanization compiled by the Chamber of Commerce of the United States sums up the situation in the following words: "It may truly be said that one result of the war was to bring home to the American people as a whole the importance of assimilating new-comers to this country. War-time investigations revealed a condition which but few outside of our social and civic agencies had realized, such as the existence of groups or colonies of unassimilated immigrants, unable to speak the language of their adopted country, and almost totally ignorant of its manners, customs, and political and civic institutions."

Thus, we see that the Americanization problem is one resulting from the presence in the country of millions of both foreign and native-born people, unassimilated so far as our language, ideals and customs are concerned. This problem is already with us. It is not a fear of the future. The millions of unassimilated residents within our borders will continue to be a factor in our National life for good or bad for many years to come.

STATES UNAIDED NEGLECT AMERICANIZATION

That some States are likely to neglect this problem is practically certain. Simply because a State is rich and well able to meet the condition adequately is no guarantee that it will do so. The failure by some of our richest States to provide an adequate Americanization program has brought about the condition that exists today. Nor should this question be looked upon as one that merely concerns the States individually. The Federal Government regulates immigration and the Constitution guarantees freedom of movement between the States. A State, therefore, has no control over the number of unassimilated persons who are thrust upon it under our National laws. Seventy-four per cent of the foreign-born population of the United States is found in ten "immigrant States."¹ The States under our Federal laws, therefore, have no choice but to accept any and all whom the National Government chooses to admit. The problem of Americanization is, therefore, seen to be not only a problem of the State, but a National problem, both from the point of view of equity to the States and safety to the Nation.

The Federal Government should do all in its power to encourage a concerted attack aimed at the solution of the Americanization question. It is not wise for Congress to specify just how this work of Americanization should be carried on within the States. It can confidently be expected that the States, once fully aroused to its importance, will properly organize the work in a manner that is most likely to solve the situation as it exists within their borders.

¹ Schooling of the Immigrant, Thompson, p. 28.

BILL ENCOURAGES STATES TO MEET PROBLEM

Let us now consider what steps the Towner-Sterling Bill proposes should be taken in encouraging the States in the solution of this problem. The Bill contains the following provisions touching Americanization:

"In order to encourage the States in the Americanization of immigrants \$7,500,000, or so much thereof as may be necessary, is authorized to be appropriated annually to teach immigrants fourteen years of age and over to speak and read the English language and to understand and appreciate the Government of the United States and the duties of citizenship." (H. R. 7, 67th Congress, Sec. 8.)

STATE INITIATIVE FULLY PROTECTED

At the same time the following provision specifically protects the initiative of the States, leaving them free to meet the situation in the manner which a study of the problem within their several borders justifies.

"All funds apportioned to a State for the Americanization of immigrants shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section within said State in accordance with the laws thereof." (H. R. 7, 67th Congress, Sec. 8.)

A third provision guarantees that such money as may be appropriated may be distributed to the States where the Americanization problem exists.

"The said sum shall be apportioned to the States which qualify under the provisions of this Act in the proportions which their respective foreign-born populations bear to the total foreign-born population of the United States." (*Ibid.*, p. 7, Sec. 8.)

Thus the Towner-Sterling Bill fully confirms the States in their Constitutional rights to control education within their several borders. At the same time the Federal Government exercises its well established right to encourage the States to meet adequately a problem that is of peculiar national importance.

C. Establishing Effective Programs of Physical Education

Let us consider the physical condition of the manhood of the Nation as revealed by recent studies. It has long been recognized by a few well-informed specialists that there is a great annual economic loss in the Nation due to ill health and premature death from causes that might largely be prevented by effective physical education programs. The National Conservation Commission, appointed by President Roosevelt, in a report on "National Vitality," in 1909, stated that:

... there were then about 3,000,000 persons seriously ill at all times in the United States. This meant an average annual loss per person of 13 days owing

to illness. It was estimated that 42% of this illness was preventable, and that such prevention would extend the average life by over 15 years.¹

Similar studies, in spite of the importance of their revelations, received but little attention until the time of the World War. The seriousness of the physical deficiencies prevalent among the manhood of the Nation was revealed at this time with unmistakable clearness. It was early recognized as a factor that might reduce our effectiveness in that struggle should it continue to the time when we would be required to place our full effective man-power in the field. The draft figures for rejection for physical reasons have received wide attention. Let us examine the evidence concerning the physical condition of the manhood of the Nation as revealed by these figures.

The accompanying table, dealing with the rejections for physical disabilities, shows that in examining 3,208,446 men between the dates given, 29.59 per cent "possessed physical defects of such degree as to prevent their qualifying for general military service." Over one-half of this group, or 16.25 per cent of the whole number examined, "possessed physical defects of such degree as to prevent them from rendering military service of any kind."²

Rejections for Physical Disabilities

| | Number | Per cent |
|--|-----------|----------|
| Men examined, December 15, 1917, to September 11, 1918.... | 3,208,446 | 100 |
| Men fully qualified for general military service..... | 2,259,027 | 70.41 |
| Men disqualified for general military service..... | 949,419 | 29.59 |
| Men qualified for limited but not general military service.... | 427,813 | 13.34 |
| Men disqualified wholly for any type of military service.... | 521,606 | 16.25 |

The 2,259,027 men in the table who qualified for general military service represent 81 per cent of all those inducted by the draft. The figures may, therefore, be accepted as representative for the draft as a whole.

REVELATION OF PHYSICAL DEFECTS STARTLING

The figure 29.59 per cent rejected for general military service, is sufficiently startling without further elaboration. It becomes even more significant, however, when it is realized that all the men of this group were included in the ages from 21 to 30, the period of life when a man is supposed to be at his best physically. Had the examinations included those over 30 years of age, the per cent disqualified would doubtless have been materially increased. Complete figures are not available on this point, but a clue is shown in the table given below.

Rejections for General Military Service—Age Factor Considered³

| Ages | Number of men examined | Number rejected for general military service | Per cent | Number rejected for any type of service | Per cent |
|--------------------------|------------------------|--|----------|---|----------|
| Group I—21-30 Inc..... | 2,693,448 | 830,401 | 30.83 | 470,457 | 17.47 |
| Group II—21 years only.. | 514,998 | 119,018 | 23.11 | 51,149 | 9.93 |

¹ Quoted from "Waste in Industry," Committee on Elimination of Waste in Industry of the Federated American Engineering Societies, appointed by Herbert Hoover. McGraw-Hill Book Company, Inc., 1921, p. 20.

² These quotations and the figures given in the table are taken from the Second Report of the Provost Marshal General to the Secretary of War, on the operations of the selective draft system to December 20, 1918, pp. 153 and 156.

³ *Ibid.*, p. 161.

The men in Group I made up of those varying from 21 to 30 years of age showed 30.83 per cent rejections for general military service; 17.47 per cent being absolute rejections.

The men in Group II made up wholly of those 21 years of age yielded 23.11 per cent rejections for general military service; 9.93 per cent being absolute rejections.

The percentage of rejections for Group I, containing the men from 21-30, is appreciably higher than the percentage of rejections for Group II made up of younger men. This point has not been overlooked in careful analyses that have been made of the draft figures. Referring to the men in our population over 31 years of age, none of whom are represented in the figures given in the accompanying tables, Dr. Eugene Lyman Fisk states:

Sixty per cent of unfitness between 31 and 45 would be a conservative estimate if reasonable standards are maintained, standards that aim to exclude men who would almost certainly be injured and broken by war service, even though unwounded.¹

PEACE-TIME STANDARDS LOWERED DURING WAR

Another important consideration in properly analyzing the figures for physical rejections is the standard maintained by the Draft Examining Boards. These were materially lowered from peace-time Army standards, as the following statement of the Provost Marshal General shows:

The physical standards adopted at first for the selective service were based on those used by the Army under the volunteer system . . . It was soon found that these standards were too severe. In time of peace, when the supply of volunteers ordinarily exceeds the demand, a high physical standard may be exacted. When a necessity exists for great numbers, many minor physical defects must perforce be waived in order to secure the requisite man-power.

On request of the Provost Marshal General, a committee was therefore appointed by the Surgeon General of the Army to formulate a new set of physical standards. This was completed and promulgated to draft boards in June, 1918.²

That the standard maintained in peace-time was lowered is indicated by the figures in the table given below:³

Analysis of Physical Causes for Rejection for Military Service, U. S. Navy and Marine Corps, 1915 (Report of Surgeon-General.)

| | Number | Per cent of men examined |
|--|---------|--------------------------|
| Total number of applicants | 106,392 | 100 |
| Total number rejected for all causes | 74,280 | 69.8 |
| Causes of rejection | | |
| Eye | 12,374 | 11.6 |
| Flatfoot | 8,188 | 7.7 |
| Defective teeth | 7,751 | 7.3 |
| Varicose and varicose veins | 4,598 | 4.3 |
| Deformities | 4,292 | 4.3 |
| Heart affections | 3,149 | 2.0 |
| Hernia, or tendency to hernia | 1,647 | 1.5 |
| Veneral diseases | 1,455 | 1.4 |
| Ears | 1,349 | 1.3 |
| Skin diseases | 1,196 | 1.1 |
| Other miscellaneous causes | 28,326 | 27.3 |

¹ "Some Lessons from the Draft Examination," Eugene Lyman Fisk, M. D., *Journal of the American Medical Association*, Feb. 2, 1918, Vol. 70, pp. 300-303.

² Second Report of the Provost Marshal General, p. 151.

³ This table reproduced from: "Some Lessons from the Draft Examination, Eugene Lyman Fisk, M. D.

The higher standards maintained in the peace-time Navy and Marine Corps show a much greater percentage of rejection for physical disabilities than was true in connection with the draft. The figures showing the rejection rate among applicants for enrollment in the Navy and Marine Corps are not for as representative a group as is included in the draft figures, but they indicate that the standard of the draft was much below that maintained in recruiting our peace-time war forces.

ONLY PROMINENT PHYSICAL DEFECTS RECORDED

One other consideration is important in properly interpreting the draft figures for physical rejections. Only the prominent defect was recorded when a man was rejected from the draft for physical reasons. A man might have been rejected for an eye defect who was at the same time suffering from an advanced case of some other disease such as tuberculosis or heart disease. The cause of rejection recorded in such cases, however, is the minor one. This fact has been clearly recognized by one student of the draft figures who states:

Millions of defects, perhaps of more importance than the prominent defect, were submerged, in the records.¹

The draft figures concerning rejections for physical deficiencies are, therefore, clearly an under-estimate of the amount of physical incompetence in the Nation. Let us summarize the evidence as given on this point:

1. They concern a selected group of men all under 31 years of age. No data are included for men over 31 years of age for whom there would have been a higher percentage of rejections.

2. The standards used in the examination were definitely lower than those used in peace time. The "new set of physical standards" formulated for the draft recognized that: "When a necessity exists for great numbers, many minor physical defects must perforce be waived in order to secure the requisite man-power."²

3. The draft figures give but a partial statement of the defects possessed by those rejected.

A proper interpretation of the draft figures for rejections for physical incompetence, therefore, tends to reveal them as but partial indications of the severe physical deficiencies of our young manhood.

Let us next consider the specific causes for rejection as revealed by the draft figures, giving particular attention to the physical defects that might have been at least partially prevented by an adequate National physical education program. The reliability of these figures is probably greater than any others as yet compiled.

Not only do they represent the broadest basis ever available for such an inquiry, but they were made under such conditions of fair uniformity, both as to time, as

¹ Preventable Diseases of Adult Life, Eugene Lyman Fisk, M. D., *New York State Journal of Medicine*, December, 1921.

² Second Report of the Provost Marshal General, p. 151.

to area, and as to physical standards employed, that their scientific worth is unequaled by any statistics hitherto accessible.¹

The accompanying table tabulating the principal causes for rejection for physical deficiency, is based on the records for 476,694 men who were disqualified for military service. Although this number is not the total number of rejections made in connection with the draft they "are on a large enough scale to justify generalization."²

Defects Disqualifying for Military Service—Based on Records of a Total of 476,694 Rejections³

| Cause of rejection | Per cent rejected for cause given |
|---|-----------------------------------|
| Heart and Blood Vessels..... | 13.07 |
| Bones and Joints..... | 12.35 |
| Eyes..... | 10.65 |
| Tuberculosis (Respiratory)..... | 8.67 |
| Developmental Defects (Height, Weight, Chest, Muscles)..... | 8.37 |
| Hernia..... | 6.04 |
| Mental deficiency..... | 5.24 |
| Nervous disorders..... | 5.07 |
| Ears..... | 4.38 |
| Flatfoot..... | 3.87 |
| Teeth..... | 3.16 |
| Skin..... | 2.68 |
| Other defects and causes not given..... | 16.45 |
| Total..... | 100.00 |

DEFECTS PREVENTABLE BY PROPER TRAINING

It is the verdict of those qualified to express an opinion that most of the defects listed above as the causes for rejection could have been prevented by adequate physical education programs.

An analysis in detail of the causes of rejection clearly indicates the preventable nature of these impairments, and also clearly points the way to remedial and preventive work.⁴

Another authority makes the following statements with regard to the possibility of preventing the conditions that brought about the high percentage of rejections.⁵

1. Heart disease could be prevented by proper strengthening of the heart through physical activities, by proper removal of physical defects such as bad tonsils, infected teeth, etc.
2. Malformation of the limbs may be prevented to some extent by proper physical activities.
3. Defective vision oftentimes would be prevented to some extent by proper physical activities.

¹ Second Report of the Provost Marshal General, p. 165.

² Quoted from Second Report of the Provost Marshal General, p. 165.

³ Report of Provost Marshal General, pp. 165 and 166.

⁴ Some Lessons from the Draft Examination, Eugene Lyman Fisk, M. D. This quotation was not made with reference to the table given. It refers to a tabulation of the causes of rejection for a smaller group of men. The causes of rejection prominent in this table, however, are also prominent in the more comprehensive table presented here.

⁵ These statements were made by Dr. C. H. Keene, Director Health Bureau, Dept. Public Instruction, Pennsylvania, referring to the rejections in connection with the Army Draft examinations.

4. Under size may be prevented by proper physical activities, by proper instruction in regard to nutrition . . . and preparation of food and the like.

5. Hernia undoubtedly in the majority of cases would be prevented by the development of abdominal muscles. This would be accomplished through physical education.

6. Proper physical education and instruction in the care of the feet and selection of shoes, such as we have in our new syllabus in teaching of hygiene, will prevent a large proportion of the flat foot.

The evidence shows, therefore, that a considerable proportion of the physical defects that resulted in the disqualifications of our young men for general military service would be preventable through a comprehensive National health and physical education program.

PHYSICAL DEFICIENCIES DUE TO IGNORANCE

The causes of the physical deficiencies recorded as a basis for rejection do not mean that there is a general decadence of the race from the physical side. They merely indicate ignorance of the simple rules of health and hygiene. "An analysis in detail of the causes of rejection clearly indicates the preventable nature of these impairments."¹

The revelations of the draft have prompted further studies of the physical condition of the Nation and, fortunately, have resulted in a better public understanding of the seriousness of the economic losses due to the physical deficiencies of our population. We have come to realize that it is a mistake "to regard anything that does not interfere with the immediate ability to earn a livelihood as a negligible defect in its civil influence."²

WASTE IN INDUSTRY FROM PHYSICAL DEFICIENCIES

A recent report dealing with "Waste in Industry" gives considerable attention to losses resulting from ill health and premature death, and reflects a better public realization of the seriousness of the physical deficiencies present in our population. Some of the outstanding findings of the report on "Waste in Industry," by a committee appointed by Herbert Hoover, are summarized below. Under the division of this report devoted to "Sources and Causes of Waste" the following are found:³

1. The 42,000,000 men and women gainfully employed probably lose on an average more than eight days each annually from illness disabilities, including non-industrial accidents—a total of 350,000,000 days.
2. Of the 500,000 workers who die each year, it is probable that the death of at least one-half is postponable, by proper medical supervision, periodic medical examination, *health education*, and community hygiene.
3. It has been estimated that the economic loss from preventable disease and death is \$1,800,000,000 among these classed as 'gainfully employed'—or over \$700,000,000 among industrial workers in the more limited meaning of the term . . . there is experimental basis for the statement that this loss could be materially reduced and leave an economic balance in the working population alone over and above the cost of prevention of at least \$1,000,000,000 a year.

¹ Some Lessons from the Draft Examination, Eugene Lyman Fisk, M. D. This quotation was not made with reference to the table given. It refers to a tabulation of the causes of rejection for a smaller group of men. The causes of rejection prominent in this table, however, are also prominent in the more comprehensive table presented here.

² Preventable Diseases of Adult Life, Eugene Lyman Fisk, M. D., New York State Journal of Medicine, December, 1921.

³ Waste in Industry, p. 21 to 23 and p. 32.

4. The economic loss from tuberculosis death rate as affecting the working population is \$500,000,000 annually.

5. Malaria . . . is responsible for much sub-standard health, and probably affects 1,500,000 people annually, covering 27,000,000 days absence.

6. It is estimated that 25,000,000 workers have defective vision requiring correction. It is the experience of a number of plant executives that the correction of sub-standard vision brings increased quality and quantity of production, sufficient to pay for the cost.

7. A very large proportion of workers have defective teeth and mouth infection and other serious physical defects which reduces their effectiveness.

8. The total direct cost of industrial accidents in the United States in 1919, including medical aid and insurance overhead, was not less than \$1,014,000,000. Of this \$349,000,000 was borne by employers and \$665,000,000 by employees and their dependents . . . Experience indicates, and authorities agree, that 75 per cent of these losses could be avoided.

In this same report under the section devoted to "Recommendation for Elimination of Waste" we find the following significant quotation:¹

A national policy regarding public health should be accepted and put into effect. The reports dealing with health . . . declare for an aggressive, continuous, national public health policy.

Such a National policy is contemplated by the Towner-Sterling Bill which authorized Congress to appropriate annually so much of \$20,000,000 as may be necessary "to encourage the States in the promotion of physical education . . . and instruction in the principles of health and sanitation." (H. R. 7, 68th Congress, Sec. 10.)

STATE AUTONOMY CAREFULLY PRESERVED

At the same time the initiative of the State is protected in the following provision:

"All funds apportioned to a State for the promotion of physical education shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section within said State in accordance with the laws thereof." (H. R. 7, 67th Congress, Sec. 10.)

The Towner-Sterling Bill, therefore, recognizes that the physical well-being of our people is a problem of National importance. It aims to encourage the States to join in a concerted effort to remove the causes back of our physical deficiencies. Such a program will many times pay for itself in reducing the economic losses due to ill health and premature death, without considering dividends in increased happiness and morale among our citizenry.

D. Providing Well-qualified Teachers for All Public Schools

There is no disagreement as to the inadequacy of the teaching personnel of the Nation. It has been recognized for years. It has been estimated

¹ Waste in Industry, p. 21 to 23 and p. 32.

recently that only one fifth of the teachers of the Nation have an education equal to the standard of preparation recognized in all civilized countries as constituting the barest minimum for elementary school teaching.¹

Let us consider some of the facts concerning the preparation of the teachers of the Nation. We will first consider conditions as they existed before the war.

SHORTAGE OF PREPARED TEACHERS SHOWN

One of the best studies of pre-war conditions is that by Coffman made in 1910. This study included data for a random sampling of teachers over the United States as found in the rural, town, and city schools of twenty-two States in every section of the country. The results of this study need not be given at length. They are well summed up in the following striking statement:

Imagine the public-school teachers of the country extended in a long line. Allowing three feet of space for each individual, this line will extend unbroken for over three hundred miles . . .

Let the first arrangement follow the order of age or maturity. The youngest teacher is at one end of the line, the oldest teacher at the other; the remaining teachers are arranged in order of age. Starting with the youngest teacher and journeying along the line, one will traverse one-fourth of the entire distance before reaching a teacher who has passed the age of twenty-one. Roughly speaking, one-fourth of all of the Nation's children are receiving their education at the hands of these immature teachers. This, however, does not tell the whole story, for one will have passed in all likelihood more than 100,000 teachers before reaching the first of the twenty-year-old group, while tens of thousands of those first encountered are only sixteen, seventeen, or eighteen years old.

Let the line form again on the basis of educational equipment as shown by the length of time that these teachers have themselves attended school. Now the journey along the line will take one past at least 30,000 teachers before one reaches the first individual who has had any education whatsoever beyond the eighth grade of the common school . . . Continuing along the line, about 150,000 teachers would be passed before reaching the first individual whose total education amounted to more than two years of high-school work, and 480,000—four-fifths of the entire group—would be left behind before one reached the first individual who had met the standard of preparation recognized in all civilized countries as constituting the barest minimum for elementary teaching—two years of training after high-school graduation, or six years of education in all beyond the eighth grade.

Forming the line again on the basis of experience in teaching one would pass 150,000 teachers before reaching the first individual who had taught more than two years, while the middle of the line would be reached before one could greet the first "experienced" teacher—one who had taught at least four years. One-half of the Nation's children, then, are being taught by teachers who have not served sufficiently long to let the discipline of experience compensate in any marked degree for the deficiencies in their initial training.²

SURVEYS REVEAL SERIOUS CONDITIONS

Other studies give the pre-war situation in more detail as they existed in particular States. In 1913-14 one third of the 16,000 teachers of Wisconsin

¹ *The Nation and the Schools*, Keith and Bagley, p. 221.

² *Ibid.*, pp. 219-221, estimates based on *The Social Composition of the Teaching Population*, Coffman.

had had less academic preparation than the equivalent of high-school graduation, and practically no specific preparation for teaching.¹ Less than 40 per cent had had training equivalent to normal-school graduation. These facts are particularly significant since, in comparison with most States, Wisconsin is well provided with standard normal-schools.

Conditions found in Maryland were reported by a Survey Commission in 1915.² Of the white teachers of the State, 12 per cent had had no training but elementary school graduation, and but one in ten had completed a standard normal-school course, or better. The training of negro teachers was lower than that of the white. The survey summarizes the situation in the following statement:

Ten per cent of the elementary teachers of Maryland—not more—may be called well-trained . . . at least one-third are practically untrained.³

The surveys of the teachers in city school systems revealed similar data. Springfield, Illinois, showed that 37 per cent of the elementary teachers had had no education beyond the high school, and that 14 per cent had graduated from no school whatsoever.⁴

In Buffalo, New York, the survey conducted in 1915 revealed the fact that less than one half of the elementary teachers were graduates of either colleges or normal schools, and that 11 per cent had not "graduated from any institution, not even an elementary school."⁵

The Portland, Oregon, Survey showed that 12 per cent of the teachers had graduated from no school.⁶

The conditions found in these States and cities were typical. Some surveys showed better, some worse conditions. That the teaching personnel contained hundreds of thousands of immature, untrained, and inexperienced teachers to whom teaching was but a casual and temporary occupation, was generally recognized.

With the entry of the United States into the war this situation was greatly aggravated. Employment, in other fields, at reasonable compensation, was easily available to all, whether trained or untrained, and as a result thousands of our schools closed their doors, being unable to obtain teachers of any kind.

The resulting conditions in our schools during the war became a matter of National concern. A number of studies were made that clearly revealed the situation existing during the war. The results of some of these are given below.

Statements made by competent authorities gave these facts concerning the 600,000 public-school teachers in service during the war period.⁷

¹ *Conditions and Needs of Wisconsin's Normal Schools*, A. N. Farmer, Wisconsin State Board of Public Affairs, Dec., 1912.

² *Public Education in Maryland*, General Education Board, New York.

³ *Ibid.*, p. 60.

⁴ *The Public Schools of Springfield, Illinois*, L. P. Ayres (Report of Survey).

⁵ *Examination of the Public School System of the City of Buffalo*, Albany, 1916, p. 54.

⁶ *Report of the Survey of the Portland School System*, 1915, p. 42.

⁷ *A National Program for Education*, Commission Series No. 3, p. 4, N. E. A., 1918.

As to age—

100,000 are seventeen, eighteen, and nineteen years old;
150,000 are not more than twenty-one years old;
300,000 are not more than twenty-five years old.

As to length of service—

150,000 serve in the schools two years or less;
300,000 serve in the schools not more than four or five years.

As to education—

30,000 have had no education beyond the eighth grade of the elementary school;
100,000 have had less than two years' education beyond the eighth grade;
200,000 have had less than four years' education beyond the eighth grade;
300,000 have had no more than four years' education beyond the eighth grade.

As to professional preparation—

300,000 have had no special professional preparation for the work of teaching.

MILLIONS TAUGHT BY UNQUALIFIED TEACHERS

Of the twenty million boys and girls in the public schools during the war, it was conservatively estimated that—

1,000,000 are being taught by teachers whose education has been limited to seven or eight years in the elementary schools;

7,000,000 are being taught by teachers who are scarcely more than boys and girls themselves, and whose appreciation of their responsibilities must, in consequence of their youth and inexperience, be extremely slight;

10,000,000 are being taught by teachers who have had no special preparation for their work and whose general education is quite inadequate.¹

The seriousness of the shortage of teachers at the opening of the school year 1920 was revealed by investigations of the National Education Association.²

The Bureau of Education also issued a report showing that the shortage of teachers was alarming. On the basis of these studies it was estimated that there were approximately 18,000 classrooms for which teachers could not be found, and that there were 450,000 boys and girls, in one school year, to whom school privileges were denied. So much for conditions existing during the war.

Since the war a number of surveys have been made which furnish data concerning the preparation of teachers. A survey of Kentucky for the year 1921, shows that "only one elementary teacher in ten is satisfactorily prepared to teach in the elementary school . . . 23 per cent have never gone beyond the elementary school."³

A more comprehensive study, the results of which are given in a table below, gives an estimate of the teacher training situation in twenty-eight of the States in the country.

¹ *Ibid.*, p. 7.

² See Report by Hugh S. Magill in *N. E. A. Bulletin*, November, 1920, pp. 15-16.

³ *Public Education in Kentucky*, General Education Board, p. 53.

Preparation of Teachers¹

| States | Per cent Less than high school training | Per cent High school education or more | Per cent 2 years col- lege or nor- mal school |
|----------------|--|---|--|
| Alabama | 59 | 41 | 10 |
| Arizona | 0 | 100 | 89 |
| Arkansas | 87 | 13 | 12 |
| California | 0 | 100 | 86 |
| Connecticut | 0 | 100 | 90 |
| Florida | 94 | 6 | 1 |
| Iowa | 0 | 100 | 30 |
| Idaho | 0 | 100 | 42 |
| Kansas | 26 | 74 | 42 |
| Louisiana | 15 | 85 | 67 |
| Massachusetts | 7 | 99 | 86 |
| Mississippi | 76 | 24 | 4 |
| Missouri | 30 | 70 | 34 |
| Montana | 23 | 77 | 34 |
| Nebraska | 39 | 61 | 4 |
| New Mexico | 73 | 27 | 18 |
| New York | 0 | 100 | 82 |
| North Carolina | 51 | 49 | 23 |
| Ohio | 8 | 92 | 42 |
| Oklahoma | 73 | 27 | 22 |
| Oregon | 0 | 100 | 79 |
| Pennsylvania | 23 | 77 | 67 |
| South Carolina | 40 | 60 | 35 |
| South Dakota | 39 | 61 | 34 |
| Utah | 0 | 100 | 69 |
| Vermont | 6 | 94 | 29 |
| Washington | 0 | 100 | 50 |
| West Virginia | 67 | 33 | 18 |

A few of the outstanding facts brought out by this table follow:

1. Only nine of the twenty-eight States listed have no teachers who have had less than a high-school education.
2. In eight States of the Union over 50 per cent of the teachers have had less than a high-school education; in Florida 94 per cent have had less than a high-school education.
3. In eighteen of the twenty-eight States less than one-half of the teachers have had a normal-school education.

It is not necessary to give further data in support of the generally recognized fact that the composition of the teaching population of the country is below the standard that our Nation should expect as to maturity, experience, and training.

Present indications are not encouraging in indicating any great improvement in the personnel of the teachers of the country in the immediate future. A recent report has shown that in spite of the "large increases in salaries given the teachers in the school years ending 1919 and 1920 that they are in a less advantageous economic position than at any other time since the civil war period."²

¹ *School and Society*, March 18, 1922, p. 304.

(Ed. note.—First item after Massachusetts should probably be "1 per cent.")

² *Trends of School Costs*, Russell Sage Foundation, p. 64.

Even in the cities, where the salary increases have been the greatest, teachers' salaries have barely held their own against the increased cost of living.¹

In the rural communities the salaries of teachers are still pitifully inadequate. Data based upon a recent salary inquiry sent to all rural communities of the country by the Bureau of Education, furnish evidence for the following statements:

1. 17,000 teachers were reported as receiving annual salaries less than \$500.
2. Approximately 40,000 teachers would have been reported as receiving less than \$500 annual salary, if all rural communities had replied and their returns had been similar to those actually received.
3. In ten States from 25 to 64 per cent of the teachers in rural communities receive salaries of less than \$500 annually, and hundreds of teachers received an annual salary of less than \$300.

OUTLOOK NOT ENCOURAGING UNDER PRESENT CONDITIONS

Under such conditions it is unlikely that there will be a great increase in the number of men and women desiring to enter the teaching profession, or that the standard of their preparation will be appreciably raised. In fact there is some evidence to show that the standard of preparation is lower now than during the war. A recent study of the preparation of high-school teachers, who receive the best salaries of any of our public-school teachers, shows that the proportion of high-school teachers who were graduates of colleges in the school year ending 1921 was lower in every State in the Union except four, than it was in the school year ending 1918.²

In the school year 1917-18, before the effects of the war upon our normal-school enrolment had been serious, there were approximately 25,000 graduates from the normal schools of the United States each year.³ During the war there was a great decrease in the number of normal-school graduates. Only recently has the number of normal-school attendants returned to that of the pre-war figure. There is a very remote prospect that the number of normal-school graduates will, under present conditions, ever be anywhere near the demand for new teachers that comes every year.

The Federal Commissioner of Education estimated that the number of recruits needed in the rural schools of the country alone, for the year 1918-19, was 130,000. It will be seen, therefore, that the number of normal-school graduates was but a small fraction of the number of new teachers needed every year. The Federal Commissioner of Education estimates that there was an annual turnover of more than one in three. If this holds true for 1921-22, it means that for the coming school year over 200,000 new teachers will be needed. Our teacher-training institutions will graduate less than a fourth of this number.

¹ *Have Teachers' Salaries Been Increased?*, Journal of the National Education Association, April, 1922, p. 172.

² *The Journal of the National Education Association*, April, 1922, p. 170.

³ *Statistics of Normal Schools, 1917-18*, U. S. Bureau of Education Bulletin, 1919, No. 81.

We now have the facts concerning the present and probable future status of the teaching personnel of the country.

We know that a return to "normal conditions" existing before the war means that thousands of our teachers will be lacking in maturity, experience, and training, that the teacher-training institutions of the country will turn out but a fraction of the new teachers needed each year, and that the wage paid thousands of the teachers of the country will be so low that there is little hope that a sufficient number of adequately endowed young people will offer themselves for training.

EFFICIENT SCHOOLS DEPEND ON TRAINED TEACHERS

Along with these conditions let us realize that the effectiveness of all education is dependent upon the effectiveness of the teacher. The teacher occupies a crucial position in the educational situation. "She stands constantly on the frontier of childhood; she deals with weak, plastic, and variable children."

It is not sufficient to pass a law that illiteracy is to be removed, or that the principles of our Government are to be taught to the new generation. Unless adequately prepared teachers are also provided no educational objective can be successfully attained. The fact that thousands of our children each year are being taught by teachers who but a year before graduated from the elementary school, and who, because of their immaturity, inexperience, and lack of training, are wholly unprepared for their work, should not be disregarded. Such a problem is a National problem. It is the duty of the country to take steps to remove this condition.

The Towner-Sterling Bill takes the first step in the direction of providing well-qualified teachers for the public schools of the country in the following provisions:

1. That in order to encourage the States in the preparation of teachers for public-school service, \$15,000,000, or so much thereof as may be necessary, is authorized to be appropriated annually to provide and extend facilities for the improvement of teachers in service and for the more adequate preparation of prospective teachers, and to provide an increased number of trained and competent teachers by encouraging through the establishment of scholarships and otherwise a greater number of talented young persons to make adequate preparation for public-school service (H. R. 7, p. 10, lines 3-12).

2. The said sum shall be apportioned to the States which qualify under the provisions of this act in the proportions which the number of public-school teachers employed in teaching positions in the respective States bear to the total number of public-school teachers so employed in the United States (*Ibid.*, p. 10, lines 12-17).

At the same time the initiative of the States in the preparation of the teachers is fully protected in the following clause:

All funds apportioned to a State for the preparation of teachers for public-school service shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section within said State in accordance with the laws thereof (*Ibid.*, page 10, lines 20-25, and page 11, lines 1 and 2).

E. Equalizing Educational Opportunity

Our forefathers early in our history laid down the broad general principle that "all men are created equal." Abraham Lincoln expressed the hope that the time would come when our country would "guarantee to all an unfettered start and a fair chance in the race of life." How far we have fallen short in attaining this great ideal is familiar to all who are acquainted with the facts concerning the educational situation in the country. Let us note a few of the outstanding conditions illustrative of the point that the equality of opportunity theoretically guaranteed as a birthright to all Americans is, as yet, far from existing in reality.

First, let us consider the question from the point of view of the equality of opportunity that is furnished our native-born citizens to acquire sufficient education to be classed as "literate."

The accompanying table shows the percentage of illiteracy, divided as to rural or urban residence, in nine States selected to represent each geographic section of the country.

Percentage of Illiterates in Rural and Urban Communities—1920 Census

| State | Native white Percentage illiterate | | | Negro Percentage illiterate | | |
|-------------------|---------------------------------------|-------|-----------------------------|--------------------------------|-------|-----------------------------|
| | Rural | Urban | Ratio, Rural to Urban | Rural | Urban | Ratio, Rural to Urban |
| Rhode Island..... | 2.4 | .6 | 4 to 1 | 11.8 | 10.2 | 1.1 to 1 |
| New Jersey..... | 1.2 | .3 | 4 to 1 | 9.1 | 5.4 | 1.7 to 1 |
| Wisconsin..... | .9 | .3 | 3 to 1 | 4.1 | 4.1 | 1 to 1 |
| Missouri..... | 2.9 | .7 | 4.1 to 1 | 20.6 | 9.6 | 2.1 to 1 |
| Florida..... | 4.1 | .7 | 5.8 to 1 | 27.4 | 12.3 | 2.2 to 1 |
| Kentucky..... | 8.6 | 1.9 | 4.5 to 1 | 23.0 | 18.9 | 1.2 to 1 |
| Louisiana..... | 16.3 | 2.0 | 8.1 to 1 | 45.4 | 22.1 | 2.1 to 1 |
| Colorado..... | 2.1 | .6 | 3.3 to 1 | 10.0 | 5.5 | 1.8 to 1 |
| California..... | .7 | .2 | 3 to 1 | 8.6 | 4.2 | 2.0 to 1 |

This table shows that illiteracy among our native-born population is from 2 to 8 times as great in the rural as in the urban communities. In the State of Louisiana, for example, among the white population, illiteracy is 8 times as frequent in rural as in urban communities. Considering negroes, in the same State, there is twice as large a percentage of illiterates in the rural communities as in the urban. It is plain, therefore, that the illiteracy of the more than 3,000,000 native-born residents of the United States, is primarily a rural problem, or more exactly, a rural school problem. Over 60 per cent of our illiterates are native-born, and over 80 per cent of our illiterate native population are found in rural communities. The inequalities in our educational system represented by our ineffective rural schools may, therefore, be held principally responsible for the existence of our present illiteracy problem.

MANY CHILDREN DEPRIVED OF EDUCATIONAL OPPORTUNITIES

The children of many States do not have an equal opportunity to acquire that most elemental educational attainment, the ability to read and write. Whether a child is to reach maturity possessing this fundamental educational attainment is in many States largely a matter of chance. If he happens to be reared in a rural community, his chance of being an illiterate is, in some States, eight times as great as if he lived in a city during childhood.

The length of the school term maintained in the different local communities of any State is another good indication as to how near that State comes to providing equal educational opportunities for its children. It is obvious that any educational opportunity is dependent upon keeping the schools in session.

The table below shows the inequalities in the length of school terms maintained in different counties of Colorado as revealed by a recent study:

Length of School Term—Colorado Counties¹

| Name of county | School term in days |
|-----------------|---------------------|
| Crowley ----- | 167 |
| Cheyenne ----- | 151 |
| Pueblo ----- | 141 |
| Montezuma ----- | 133 |
| Baca ----- | 98 |

Similar data are given below for Virginia:

School Terms in Virginia—Non-City Schools²

| Length of school term in months | Number of schools maintaining term |
|---------------------------------|------------------------------------|
| 5 or less ----- | 65 |
| 6 ----- | 226 |
| 7 ----- | 266 |
| 8 ----- | 148 |
| 9 ----- | 36 |
| Over 9 ----- | 7 |
| Total ----- | 748 |

Conditions recently found in Kentucky are well summed up in the following quotation taken from a survey of Kentucky Schools, completed in 1921:

... the actual rural school term is approximately 115 days. This inadequate school term places rural children at a great disadvantage as compared with their less numerous contemporaries in city and graded districts. For example, in the

¹ Common School Finance in Colorado, and Certain Inferences of National Import; F. H. Swift, Journal of Educational Research, November, 1920, p. 746.

² Virginia Public Schools, Report of Virginia Education Survey Staff, p. 293.

graded and city school districts children have, as a rule, during the eight years of the elementary course a total of 72 months of schooling, whereas rural children have ordinarily only 48 months. Working under this handicap, county children must either do one third more work in a given period than graded and city school children, or take twelve instead of eight years to complete the elementary school program. Few rural children are able to remain in school so long, and few are able to do more in a given period than their graded school and city cousins. *The result is that rural school children are actually receiving on the average even less than two-thirds as much elementary education as graded and city school children.*¹ (Italics ours.)

STRIKING INEQUALITIES WITHIN STATES

Variations in the quality of teachers provided in different communities of the same State are similarly striking. In Massachusetts, to select a State in which the support of the schools is provided principally by the local community, in the present school year the following inequalities exist in the compensation of teachers:

Massachusetts' Average Teachers' Salaries²

| Population of community | Average annual salary |
|---------------------------------|-----------------------|
| Over 100,000 ----- | \$1,589 |
| Villages and towns ----- | 1,126 |
| One-teacher rural schools ----- | 391 |

It must be considered that the child taught by a teacher who can be obtained for an annual salary of \$391 is not receiving an opportunity equal to that received by the child taught by a teacher paid an annual salary of \$1,589. Similar inequalities, greater or less, exist in every State in the Union in 1921-22.³

EQUALITY OF OPPORTUNITY DENIED

The conditions revealed by these tables indicate that equality of educational opportunity is a myth in many States. But in all these States at least some schooling is offered. The quotation given below for Arkansas shows that in that State no schooling whatsoever is being offered the children in many communities.

In 1920, 120 Arkansas school districts levied no school tax at all. In 1921 something over 70 pursued the same policy. The average school year per county varied all the way from 8 to 3 months. Needless to say that multitudes of schools in the counties whose average was 3 months maintained schools for one month and many schools were not opened at all. In the best communities in Arkansas, schools frequently would close in December except for the fact that they were maintained by the proceeds of private subscriptions and tuition fees.

There are in Arkansas, eleven cities of 10,000 and over. In reply to an inquiry sent out in November, 1921, four of these eleven cities reported that their schools were in debt for maintenance the equivalent of one year's income or more. Six of the eleven replied that they charged tuition or raised money by other unusual means.⁴

¹ Public Education in Kentucky, Report of Kentucky Educational Commission, pp. 87 and 88.

² Journal of National Education Association, May, 1922, p. 216.

³ *Ibid.*, p. 216.

⁴ Professor Fletcher Harper Swift, University of Minnesota, quoted from communication to National Education Association, dated April 20, 1922.

These data are sufficient to show that children of the United States are not being given even approximately equal educational opportunities. If there is no equality in such fundamental provisions as have been dealt with above, there can be no equality in less essential educational provisions.

There is a fundamental cause back of practically every illustration of the lack of equality of educational opportunity found within a State. This is the lack of a sound basis of finance for our State public schools. In 1920, 78 per cent of the income for our public schools came from purely local sources.¹ Furthermore, the percentage of school expenditures coming from local sources has been steadily increasing.²

SCHOOLS SUPPORTED PRINCIPALLY BY LOCAL COMMUNITIES

Consequently in most States our schools are supported principally by the local community. Whether a school will be well supported is fundamentally dependent upon the ability of the local community to support it. That different communities vary enormously in ability to support their schools has been shown by numerous studies. Below is given the result of a recent study made in Indiana:³

There is the sum of \$22,086 of taxable property in one county for each person enumerated for school purposes as against \$1,873 in another county, or \$11.70 of taxables in the former county per each child enumerated for school purposes as against \$1 in the latter county.

There is such an unequal distribution of wealth in Indiana that some corporations are able to maintain their schools with a local tuition tax of 5 cents on each \$100 of taxables, while other townships cannot maintain their schools the minimum term upon a local tuition tax of 75 cents, the legal maximum. This condition requires one citizen of Indiana to bear a tax burden fifteen times greater than that borne by another Indiana citizen for the education of his children.

It is little wonder under such a situation that the following conditions exist in this same State:⁴

The school term in a few Indiana counties is nine months; in some others it is eight months; in most others seven months; in many others six months; while in some townships it has been less than one hundred twenty days.

There are thousands of Indiana boys and girls not within reasonable reach of a standard high school. Because of the financial condition of their parents, poor condition of roads and streams, and the scarcity of high schools in their counties, many of them may never hope to obtain a high school education, while in other counties there is a high school within easy reach of every pupil so that he can attend school and remain at home with his parents.

Is it any wonder that 90 per cent of the eighth grade graduates in some counties enter the high school as against 18 per cent of the eighth grade graduates in other counties?

Another recent study made in Iowa shows that one city in order to support its schools must levy a tax of \$15.08 on each \$1,000, whereas another city in this State supports its schools on a tax of \$1.30 on each \$1,000 of taxable property. We also find that some cities in Iowa are spending as

¹ Based on figures furnished by U. S. Bureau of Education (manuscript not yet printed).

² See table on page 55.

³ *What Is Needed to Advance Indiana's School System from 17th to 21st Place*, Pamphlet issued by Indiana Educational Campaign Committee.

⁴ *Ibid.*

high as \$125.80 a year for each pupil, whereas others spend as little as \$37.95.

Similar conditions revealed by a study in Pennsylvania are given below:

Amount of Money Behind Each Child for School Purpose— Six Pennsylvania Counties¹

| County | |
|-------------|---------|
| Fulton | \$1,260 |
| Sullivan | 2,010 |
| Clearfield | 2,110 |
| Lancaster | 5,190 |
| Northampton | 5,320 |
| Delaware | 7,670 |

Some counties in Pennsylvania have over six times as much wealth to tax for school purposes as other counties according to this table. Similar inequalities between towns and districts within the same county may be found in Pennsylvania, with the resulting inequalities in the educational opportunity offered.²

So long as such conditions exist there will never be equality of educational opportunities offered the children of the Nation. That there is no equality in educational opportunity is a matter of National concern. The Nation is the sufferer in a very real sense. Children reaching maturity illiterate, and otherwise inadequately educated, cannot but be a handicap to the progress of the Nation. The situation is even more deserving of attention since under present conditions there is little hope of improvement. The part of the financial burden of supporting the schools that is being placed upon the purely local communities, as opposed to the county and State, is increasing. The table below shows this clearly:

| Year | Per cent of school revenue ³ from local taxes |
|------|---|
| 1890 | 68 |
| 1900 | 67 |
| 1910 | 72 |
| 1918 | 78 |
| 1920 | 78 |

The provision of equal educational opportunities is fundamentally dependent on placing a smaller and smaller financial responsibility upon the local community within the State. Any means that will encourage the States to equalize educational opportunities within their borders should be welcomed.

¹ *The Nation and the Schools*, Keith and Bagley, p. 255.

² *Ibid.*, p. 259.

³ *Statistics of State School Systems, 1917-18*, U. S. Bureau of Education Bulletin, 1920, No. 11, p. 54.

TOWNER-STERLING BILL EQUALIZES EDUCATIONAL OPPORTUNITY

The Towner-Sterling Bill aims to bring this about in the following provisions:

That in order to encourage the States to equalize educational opportunities \$30,000,000 or so much thereof as may be necessary is authorized to be appropriated annually to be used in public elementary and secondary schools for the partial payment of teachers' salaries, for providing better instruction and extended school terms especially in rural schools and schools in sparsely settled localities . . . and otherwise providing equally good educational opportunities for the children of the several states. (H. R. 7, 67th Congress, Section 9.)

Since unequal educational opportunities are known to exist in every State in the Union the following provision is contained in the Bill:

The said sum shall be apportioned to the States which qualify under the provisions of this Act one-half in the proportions which the number of children between the ages of six and twenty-one of the respective States bears to the total number of such children in the United States, and one-half in the proportions which the number of public-school teachers employed in teaching positions in the respective States bears to the total number of public-school teachers so employed in the United States. (*Ibid.*, Section 9.)

The sovereignty of the State in its own borders is protected in the following provision:

All funds apportioned to a State to equalize educational opportunities shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans and methods for carrying out the purposes of this Section within said State in accordance with the laws thereof. (*Ibid.*, Section 9.)

The Act at the same time fixes a few minima, which have already been adopted by practically all States, in order that the maintenance of these minima may be guaranteed in all States accepting the provisions of the Act. These minima are given below:

The apportionments authorized by this Section shall be made only to such States as by law provide: (a) A legal school term of at least twenty-four weeks in each year for the benefit of all children of school age in such State; (b) A compulsory school attendance law requiring all children between the ages of seven and fourteen years to attend some school for at least twenty-four weeks in each year; (c) That the English language shall be the basic language of instruction in the common school branches in all schools, public and private. (H. R. 7, 67th Congress, Section 9.)

THE RELATIONSHIP OF THE FEDERAL GOVERNMENT
TO THE STATES AS SET UP IN THE
TOWNER-STERLING BILL

Having considered the fundamental reasons for organizing a Department of Education and for extending the principle of Federal aid to specific types of public education that have a particular national significance, we come to another fundamental issue; viz., can the foregoing be accomplished without interfering with State control of public education, and yet provide sufficient safeguard from the national point of view?

OBJECTIONS TO TOWNER-STERLING BILL STATED

In order to answer this question adequately let us summarize the fundamental contentions of those who are opposed to the Towner-Sterling Bill. They are as follows:

1. The Towner-Sterling Bill creates a Secretary of Education who is given autocratic power to control public education in the several States.
2. The subsidy feature of the Bill, being on the 50-50 basis, guarantees that the States will, for the sake of getting the subsidies, be willing to do whatever the autocratic Secretary of Education may demand.
3. The nationalization of education and of the teaching force will go on until we shall have a huge bureaucratic machine at Washington having its Secretary of Education in the Cabinet, its Assistant Secretaries of Education and a horde of bureau chiefs and clerks and three-quarters of a million of Federal employees teaching in the schools and bossed by several thousand field inspectors, supervisors, and other petty traveling officials.
4. If the advocates of the Towner-Sterling Bill take the other horn of the dilemma; viz., that there will be no such measure of control, they find themselves in an awkward position, for without control there will be tremendous waste of Federal funds.
5. When the Federal Government begins by setting up standards, no matter how good or necessary they may be, and giving someone the power to withhold appropriations, it furnishes a very solid foundation for the superstructure of Federal control.

These contentions are not supported nor justified by a fair interpretation of the Towner-Sterling Bill. They are merely fearful imaginings wrongly referred to the Towner-Sterling Bill. Let us consider them seriatim:

OBJECTIONS TO TOWNER-STERLING BILL ANSWERED

1. The Towner-Sterling Bill does not give the Secretary of Education any power to control education in the several States. He is naturally given, as is every other Secretary, "charge in the buildings and premises occupied by or assigned to the Department of Education." (H. R. 7, 67th Congress, Sec. 4.) Also the following: "All power and authority conferred by law upon the head of any executive department, or upon any administrative

board, over any officer, office, bureau, division, board, or branch of the Government, transferred in accordance with the provisions of this Act to the Department of Education, shall, after such transfer, be vested in the Secretary of Education." (*Ibid.*, 67th Congress, Sec. 4.)

In the foregoing there is no hint of power to control education in the several States.

The Secretary of Education is authorized to conduct studies and investigations in the field of education, but this gives him no control over education in the States. (*Ibid.*, Sec. 5.)

We find that the Secretary of Education "shall apportion to said State for the ensuing fiscal year such funds as said State may be entitled to receive under the provisions of this Act, and shall certify such apportionment or apportionments to the Secretary of the Treasury." (*Ibid.*, Sec. 13.)

"The Secretary of Education is authorized to prescribe plans for keeping accounts of the expenditures of such funds as may be apportioned to the States under the provisions of this Act and to audit such accounts." (*Ibid.*, Sec. 14.) If the Secretary of Education shall determine that "the apportionment or apportionments made to a State for the current fiscal year are not being expended in accordance with the provisions of this Act, he shall give notice in writing to the chief educational authority designated to represent said State, and to the Governor of said State, in duplicate, stating specifically wherein said State fails to comply with the provisions of this Act. If, after being so notified, a State fails to comply with the provisions of this Act, the Secretary of Education shall report thereon to Congress not later than in his next annual report." (*Ibid.*, Sec. 14.)

The foregoing, we submit, do not give the Secretary of Education any autocratic power over education in the several States.

There is, however, one more provision in the Bill, found in Section 16. It reads as follows:

That the chief educational authority designated to represent a State receiving any of the appropriations made under the provisions of this Act, shall, not later than September 1 of each year, make a report to the Secretary of Education showing the work done in said State in carrying out the provisions of this Act, during the next preceding fiscal year, and the receipts and expenditures of money apportioned to said State under the provisions of this Act. If the chief educational authority designated to represent a State shall fail to report as herein provided, the Secretary of Education may discontinue all apportionments to said State until such report shall have been made.

This is simply the safeguarding of the funds belonging to all of us and given to a State as trustee and to be used for a specified purpose. It is simply business principles applied to the expenditure of public funds—an arrangement that every right-minded person should approve.

And finally, to clinch the whole matter and to reveal the full intent of the Towner-Sterling Bill the following is found therein:

All the educational facilities encouraged by the provisions of this Act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State, and

the Secretary of Education shall exercise no authority in relation thereto; and this Act shall not be construed to imply Federal control of education within the States, nor to impair the freedom of the States in the conduct and management of their respective school systems. (Section 13.)

To assume that, in the face of such clear language, the Secretary of Education would nevertheless and inevitably become an autocratic overlord, is as unfair as it is preposterous. Such an assumption is equivalent to saying that statute law is futile, even when supported by the specific provisions of the Constitution of the United States.

We submit that the evidence found in the structure of the Towner-Sterling Bill itself, and the unequivocal statements of the authors and sponsors of the bill in Congress, Judge Towner and Senator Sterling, completely refutes the inference that it is the purpose of the Bill to give to the Secretary of Education autocratic power over education in the States, and we further submit that no evidence has been submitted which proves that a thing so at variance with the intent and language of the Bill will *inevitably*, or even *probably*, result from it.

2. There is no evidence in the Bill, that the subsidy feature will lead the States to surrender their rights to organize, supervise, and administer public education, nor is there any fund of human experience that warrants any such conclusion.

TOWNER-STERLING BILL AVOIDS WEAKNESS IN SMITH-HUGHES ACT

The Towner-Sterling Bill avoids the one feature of the Smith-Hughes Act that has been the cause of much trouble and misunderstanding. The Smith-Hughes Act, in Section 8, provides: "That in order to secure the benefits of the appropriation for any purpose specified in this Act, the State Board shall prepare plans, showing the kinds of vocational education for which it is proposed that the appropriations shall be used; the kind of schools and equipment; courses of study; and, in the case of agricultural subjects, the qualifications of supervisors or directors; plans for the training of teachers; and, in the case of agricultural subjects, plans for the supervision of agricultural education as provided for in section ten. Such plans shall be submitted by the State Board to the Federal Board for Vocational Education, and if the Federal Board finds the same to be in conformity with the provision and purposes of this Act, the same shall be approved."

The foregoing is not found in the Towner-Sterling Bill at all. It is too detailed and too prescriptive. As opposed to the foregoing, the Towner-Sterling Bill provides that all such details shall be decided "by the properly constituted State and local educational authorities."

Why should a State give up its right to control public education within its own borders? The Towner-Sterling Bill does not require it as a condition antecedent to the receipt of the Federal aid provided in the Bill. The Bill *expressly confirms* the power of the several States to control public

education within their own borders. The Bill expressly states, in its text, the implications of the Federal Constitution as to this matter.

Moreover, the Bill does not set up or propose a "50-50 basis" for all forms and varieties of public education. The incentive of Federal aid is strictly limited to the five fields of public education in which the States have failed to do what National safety, National welfare, and National advancement demand. And this Federal aid is set up simply as incentive, not as an agreement on the part of the Federal Government to pay one-half of the expenses of carrying on public education in these five fields. The Bill expressly obligates a State to spend at least as much as it receives from the Federal Government in each of the five fields which it agrees to carry on. The States are free to spend as much more as they desire.

EXPERIENCE PROVES FEDERAL AID STIMULATES STATES

Experience shows that the distribution principle of the Bill operates to stimulate the State. The way in which Federal aid has operated to increase expenditures by States for State Colleges of Agriculture and Mechanic Arts is seen in the fact that appropriations by States for these institutions increased eight fold in the nineteen years following 1896, while the appropriations of State owned, controlled, and operated Normal Schools, receiving no Federal aid, increased only three fold in the same time. The appropriations per student enrolled increased 128 per cent and 60 per cent respectively.¹

It may be objected that reasons other than Federal aid were involved in this matter. Such reasons certainly did not operate with regard to Federal aid for Vocational Education. In 1916, the year before the passage of the Smith-Hughes Act, there were only fifteen States that made appropriations for Vocational Education. In 1921, forty-eight States made appropriations for this purpose. In 1916, the fifteen States appropriated \$1,300,510.15 for Vocational Education, while in 1921, a total of \$5,319,216.91 was appropriated by States for this purpose. In 1916 local appropriations, amounting to \$2,118,208.96 for Vocational Education by twenty States. In 1921 forty-six States made local appropriations amounting to \$9,057,985.09 for the same purpose. When the combination of State and local appropriations are considered together we get the full force of the incentive which is supplied by Federal aid. In 1916 there was available in twenty-two States a total of \$3,418,719.11 for vocational education. In 1921 there was available in forty-eight States a total of \$14,377,202.00 for Vocational Education. When the Federal appropriation of \$3,097,932.02 is added to the foregoing we find that a grand total of \$17,475,134.02 was available for Vocational Education in 1921 as against \$3,418,719.11 for the same purpose in 1916.

The poor, as well as the rich States, under the stimulus of Federal encouragement, greatly increased the funds available for Vocational Educa-

¹ N. E. A. Commission Series No. 3, p. 14.

tion. Even in Mississippi, one of the poorest States, the sum provided for Vocational Education was increased from \$5,000 in 1916 to \$174,184.30 in 1921. If Georgia could receive from the Federal Government \$775,350.94 for the removal of illiteracy on the condition that it raise an equivalent amount by State and local taxation for the same purpose, it is probable that adult illiteracy would disappear very rapidly. If Massachusetts could receive \$587,880.98 for Americanizing its foreign-born residents, on the condition that it raise an equal amount for the same purpose, it is probable that its Americanization activities would be greatly and speedily increased, for in Massachusetts, under the stimulus of the Smith-Hughes Act, the funds available for Vocational Education were increased from \$820,892.13 in 1916 to \$3,026,934.37 in 1921.¹

The real question at issue is not the inequality in the per capita wealth of our several States. The question is whether the people everywhere are willing to give through State and local taxation alone the money that is necessary to support such an educational program as the safety, perpetuity, and advancement of our Nation demands. Evidently they have not been willing to do so up to the present time. If they had, the existing defects, that cannot be denied or controverted, would not be "crying aloud in the appealing voices of children" for remedy.

In the face of such facts and conditions, the Towner-Sterling Bill proposes to extend what has already proved wise and successful: viz., the principle of Federal aid.

STATES WILL NOT SURRENDER THEIR CONTROL

The Federal appropriations for good roads on the so-called 50-50 basis have stimulated the States to go far beyond equalling the Federal aid granted for this purpose. As yet, no State has ever thought of giving up the control of its highways simply because the Federal Government has helped financially in their construction.

The mere repetition of the assertion that Federal aid on a 50-50 basis will lead the States to give up their Constitutional control of education is not proof. Our experience is conclusively to the contrary. The end sought by the Towner-Sterling Bill is the stimulation of the States to do effective work in the five specified fields. The doing of this will result in great National benefit. It is but fair that the Nation should help toward the payment of the expenditures necessary to the securing of this national benefit. If a lighthouse in Boston Harbor can be built at National expense on the ground of National benefit, every expenditure contemplated in the Towner-Sterling Bill can be defended on exactly the same basis.

Therefore, the entire argument of the opponents of the Towner-Sterling Bill, regarding the pernicious and deadly effect of the basis on which it is proposed to distribute Federal aid to the States, is faulty. There is to be

¹ These figures as to expenditures for Vocational Education are based on reports received from forty-eight State Directors of Vocational Education received in May, 1922, by the National Society for Vocational Education.

no autocratic Secretary of Education and therefore there will be no person seeking, and no situation designed, to bribe and induce the States to give up their present control over public education within their own borders.

NATIONALIZATION OF EDUCATION NOT POSSIBLE UNDER BILL

3. The Towner-Sterling Bill does not contemplate, nor even make possible, the nationalization of education and of the teaching force of the public schools. If the Bill did contemplate any such thing, the opponents would be able to point out the language of the Bill or the relationships set up in the Bill which really look toward or hint at such a calamity. This they are unable to do.

What does the nationalization of education mean? It can mean but one thing, viz., organizing and controlling public education as it is organized and controlled in those nations which control public education. The Towner-Sterling Bill confirms our present constitutional control of public education by the States. It therefore takes a distinct, definite, and positive stand against the nationalization of education.

What does the "nationalization of the teaching force" mean? It can mean but one thing, viz., employing teachers by the Nation and thus making them National employees. This is not the case now. The Towner-Sterling Bill confirms the existing situation as regards the employment of teachers by the properly constituted educational officers of the several States. Therefore, the Towner-Sterling Bill takes a distinct, definite, and positive stand against the "nationalization of the teaching force."

The assertions of the opponents of the Towner-Sterling Bill about a horde of Bureau chiefs and clerks and several thousand field inspectors, supervisors, and other petty traveling officials are wild flights of imagination invoked to frighten those who do not understand the provisions of the Towner-Sterling Bill. The whole conception of "nationalizing education and the teaching force" has been conjured up as an argument against the Towner-Sterling Bill without any relation to the provisions of the Bill itself.

NEITHER AUTOCRATIC CONTROL NOR EXTRAVAGANT WASTE

4. The opponents of the Bill take the position that unless there is absolute autocratic control, there must inevitably be extravagant waste because of the entire absence of control.

The fallacy in this position is in the ambiguity of the word *control*. In one sense this word means *absolute authority over* or *absolute regulation of*. In another sense it means guidance according to definite, agreed-upon standards. For example, a Legislature controls the appropriations for a State University by voting for the use of the institution a specified sum of money for operating expenditures. It does not, however, specify exactly how many tons of coal may be bought nor what brand of chalk or ink shall be purchased. The Legislature also controls the broad, general pol-

icies of the institution by declaring what schools, or divisions, or departments it may operate. No State University would undertake to establish a Law School, or a Medical School without legislative authorization. It would not expect, however, that the Legislature would go on to specify in detail just what courses should be included in the curriculum, just what teachers should be employed, just what qualifications these teachers should have, just how many hours they should teach each week, just what textbooks should be used, just what lesson should be assigned, and just how the students should be graded. When, however, "autocratic control" is used by opponents of the Bill, it is just such detailed regulation that is implied and is brought to mind. All of the foregoing things and a multitude of others must be decided by someone. The implication is that they must be decided by the one who is boss—the one who controls. In the case of the Towner-Sterling Bill, the proposed Secretary of Education is made into the imagined ogre. This idea of an "autocratic" overlord in education, who constantly interferes with the machinery of State and local educational procedures, is kept in the foreground. Then, as if realizing that the picture is overdrawn, the brief in opposition tries to hang the whole proposal of the Towner-Sterling Bill on the other alternative of "no control at all" and pictures the result as "tremendous, extravagant waste." *It is not necessary to make a choice between these two extremes.* There is a sane middle ground. This the Towner-Sterling Bill recognizes. It is not the embodiment of the principle of autocratic control nor of the principle of *laissez faire*. It takes the middle ground. The Bill sets up certain things which the Secretary of Education may do. By implication and by a long line of legal decisions, he cannot do what he is not authorized to do. He is not authorized to control education in the States. Therefore, he cannot control it.

The Towner-Sterling Bill sets up certain conditions under which Federal aid for specific purposes may be given to the States. No State is coerced into accepting these conditions. If they are accepted, the State is morally and legally bound to live up to them in good faith, because acceptance of these conditions constitutes a contract between the Federal Government and the State.

GOVERNMENT WILL AUDIT EXPENDITURE OF FEDERAL MONEY

When such a contract has been entered into, the Federal Government has, according to the provisions of the Towner-Sterling Bill, the right to audit the expenditures of the State to see that the money allotted by the Federal Government has been spent for the specific purpose in question and that at least an equal amount has been spent by the State or local units for the same specific purpose. This is neither the "autocratic control" nor the utter absence of control which the opposition sets up as the only logical alternatives. It is simply the middle ground of common sense, or the application of the principle of the square deal.

There has undoubtedly been "extravagant waste" of lands granted to the State in aid of education. It is not advisable (nor is it proposed) to make annual, outright gifts to the States for any educational purpose, however important this educational purpose may be nationally. We have already reached the time when bounties should not be given. Free gifts by the Federal Government are, or should be wholly impossible. The utter denial of Federal aid is not the only alternative course. The Towner-Sterling Bill proposes simply that measure of control which is safe and fair to the Federal Government and to the several States. It proposes an eminently fair and equitable plan of assuring each and all of us that *our* money is being expended by the several States for the specific purposes for which it was allotted and in accordance with the terms of a contract freely entered upon. Any *more control* than this is a clear invasion of the rights of the States. Any *less control* than this is indefensible. It is the measure and form of control which fair dealing demands.

5. Finally, the opponents of the Bill take the position that setting up standards, no matter how good or necessary they may be and "giving someone the power to withhold appropriations furnishes a very solid foundation for the superstructure of Federal control."

Let us examine these standards critically to see if there is any possibility of their development into the substance of Federal control. These standards are:

STANDARDS OF TOWNER-STERLING BILL CONSIDERED

A. Each State must appropriate and use as much for a given specific purpose as it receives for this purpose from the Federal Government.

This becomes a part of the contractual relation between the Federal Government and the States accepting the terms of the Bill. This contractual relation cannot be changed except by mutual consent. Therefore, it does not promise anything in the way of Federal control.

B. In order to receive an allotment for the equalization of educational opportunities, each State must agree to:

- (a) Have all of its public schools open for at least six months.
- (b) Enact and enforce a compulsory attendance law.
- (c) Provide by law that the basal instruction in all schools, both public and private, shall be in the English language.

We submit that no one of these requirements taken alone constitutes Federal control of public education within the states, nor do they collectively look toward Federal control.

The Federal Government desires to have the States equalize educational opportunities within their several borders more fully and more adequately than they have done. It sets up certain allotments as incentive and inducement. It also sets up the three conditions that have been enumerated as necessary to equality of educational opportunity. It would be foolish to make an outright gift to the States for any purpose. In the interest of

justice and fair play, all monies appropriated from the Federal Treasury should be spent for the purposes for which the appropriation is made. It is idle to call this sensible, sane safeguarding of the national interest "the very solid foundation for the superstructure of Federal control." The appropriations to and the conditions set up for Colleges of Agriculture and Mechanic Arts do not operate, as the years go by, to bring these institutions more and more under Federal control. The highways to whose construction the Federal Government has contributed have not fallen under Federal control. There is such a thing as genuine coöperation that is mutually advantageous and that is free from all taint of domination by either party. It is such coöperation, with no hint or promise of Federal control, that is embodied in the standards set up by the Towner-Sterling Bill.

To say that there should be no terms or conditions set up in a coöperative agreement is equivalent to saying that the foundation for misunderstanding should be embodied in the contract. To say that the setting up of any terms whatever means the domination of one party or the other is not a justifiable conclusion.

C. Each State must, through its chief educational officer, report annually to the Secretary of Education (H. R. 7, 67th Congress, Sec. 16) "showing the work done in said State in carrying out the provisions of this Act during the next preceding fiscal year, and the receipts and expenditures of money apportioned to said State under the provisions of this Act. If the chief educational authority designated to represent a State shall fail to report as herein provided, the Secretary of Education may discontinue all apportionment to said State until such report shall have been made." Anything less than this would not assure all of us that our money was being faithfully expended, but it does not mean "a very solid foundation for the superstructure of Federal control."

D. In order to secure comparable reports from all of the States, "the Secretary of Education is authorized to prescribe plans for keeping accounts of the expenditures of such funds as may be apportioned to the States under the provisions of this Act." (H. R. 7, 67th Congress, Sec. 14.) The general public could never know how its funds were being spent by the States unless there were some such plan. The plan simply amounts to a uniform accounting system with regard to the allotments of the Federal aid that is provided in the Towner-Sterling Bill, and is not the autocratic domination held up by the brief in opposition.

E. The Secretary of Education is also authorized to "audit such accounts" in the several States. If the audit shows that a State is not expending its allotments in accordance with the terms of its contract with the Federal Government, the Secretary of Education is to give notice to the State's chief educational officer and to the State's Governor, in duplicate, stating specifically wherein the State has failed to comply with the contract. If the State fails to comply after such notice, the Secretary of Education

must report the matter to Congress "not later than in his next annual report." (H. R. 7, 67th Congress, Sec. 14.)

These provisions assure us that the Secretary of Education will have to be reasonable and sensible in dealing with the States. If, however, a State is unreasonable or careless in its handling of Federal funds, the case is reported to Congress for decision. How such a reasonable relationship can ever become "the very solid foundation for the superstructure of Federal control" is unthinkable.

POSITION OF SUPPORTERS OF BILL WRONGLY STATED

We wish to call attention to two positions wrongly assigned to the supporters of the Towner-Sterling Bill by those who oppose it. The opponents of the Bill have stated:

1. That the proponents of the Towner-Sterling Bill claim that our educational system has broken down.

2. That the proponents of the Towner-Sterling Bill claim that some States are too poor to provide suitable schools for their children.

Both of these statements are straw men set up by the opponents of the Bill. Much is made of these points in an effort to convince those uninformed that if these two alleged claims can be disproved a conviction against the necessity and wisdom of the Towner-Sterling Bill would be created thereby. Neither of these claims is advanced by the proponents of the Towner-Sterling Bill.

The most that was ever said by anybody at a hearing on the Towner-Sterling Bill was that there was, during the war, "a threatened breakdown of our educational system." This language was warranted by the facts then existing. It is a far cry from such a statement to the charge that the proponents of the Towner-Sterling Bill assert that our educational system has broken down. The advocates of the Towner-Sterling Bill make no such assertion. We recognize the development that has taken place in our educational systems; we recognize the excellencies of our schools. This, however, cannot blind us to existing educational shortcomings and defects. It is true that our public schools are not responsible for the illiterates who are here, for the foreigners who cannot speak our language, for the lack of attention to remediable physical defects, for poorly qualified teachers, nor for inequalities in educational opportunity. The several States which exercise sovereign control over education are responsible for this situation. These sovereign States have not organized public educational systems adequate to the needs of our National life. An illiterate is an illiterate wherever found. A non-English speaking alien is un-Americanized no matter where he lives. A poorly prepared teacher, whether teaching in a city school or a rural school, is still a poorly prepared teacher.

The States are sovereign in educational matters. They cannot be coerced, but they may be encouraged to perform their solemn obligations to the Nation. The problem is not a sectional one. Massachusetts needs

encouragement in Americanization, just as Mississippi needs it for the removal of illiteracy. In spite of our progress we are a Nation of sixth graders.¹ The ideals of our democracy cannot be realized on this level of intelligence.

Now as to the second straw man set up by the opponents of the Bill, that its supporters claim that some of the States are too poor to provide suitable schools for their children.

This is not the position of the advocates of the Towner-Sterling Bill. There is no doubt that the per capita wealth in the several States shows wide variations. To raise \$50.00 for each child of school age demands a millage seven times as great in Mississippi as in California, and a millage three times as great in Virginia as in the District of Columbia.² Massachusetts had 3.28 per cent of the country's wealth in 1912 and 3.17 per cent of the country's persons 6 to 20 years of age in 1910. Alabama had 1.17 per cent of the country's wealth in 1912 and 2.70 per cent of the country's persons 6 to 20 years of age in 1920.³

The conclusion from such facts is not that we should rush into some wild plan to equalize wealth or even to equalize taxation. Tax money is hard to get where the per capita wealth is low. The lower this per capita wealth, the harder it is to get money by taxation. Practically all of our States have used "distributable funds" both as equalization measures and as inducements to local units to get worthy educational movements started. Such "State Aid" stimulates local educational interest and expenditures. Grants in aid of education are inducement and incentive to States as well as to local educational units within a State.

TAX REFORMS ALONE WILL NOT SOLVE PROBLEMS

Tax reform is needed in Pennsylvania and Maine perhaps as badly as in South Carolina and Texas. But tax reform in all of the States will not of itself do the educational things which need to be done. The problem which we face is a far deeper one than tax reform. It is deeper than the relative per capita wealth of the States. The educational problem is the most fundamental problem of organized society, for on education depends the present and the future alike. It can not be left wholly to local initiative and control. That idea has been discarded because it failed to get the desired results.⁴ Unless we are willing to accept the educational situation as it is, unless the fact that educational conditions are better than they once were is satisfactory to us, we must find some plan of coöperation by which the Nation's interest in the development and education of each and every person—no matter where he lives—may be realized by and through the properly constituted educational authorities of the several States. This coöperation must be based on encouragement of the States instead of

¹ Bureau of Education Annual Report for 1916, Vol. 2, p. 6.

² Keith and Bagley: *The Nation and the Schools*, p. 269.

³ *Ibid.*, p. 271.

⁴ See Cullbert's *Public Education in U. S.*, pp. 118-152, Chapter on "The Battle for Free State Schools."

coercion of the States. Without invading the sovereign right of the States to control education, we must encourage them to do the necessary things, and we must safeguard the expenditures of whatever funds the Federal Government allots to the States for specific purposes.

CONCLUSIONS ON FEDERAL AID

The facts that have been presented picture situations and conditions that demand remedial action, that challenge our intelligence and our wealth. We are the richest Nation that has ever existed. We have ideals. We have been known to use our wealth for the realization of our ideals. Are the proposals of the Towner-Sterling Bill in harmony with our American ideals? Are they fundamental to national advancement? Are they reasonably feasible and realizable? Are they worthy of a small portion of our national wealth? To all of these questions, conscience, judgment, and good business sense answer *Yes*.

MISINTERPRETATION OF THE BILL CORRECTED

To summarize briefly, we find that the Towner-Sterling Bill—

1. Does not create a Secretary of Education with autocratic power to control public education in the several States.
2. Does not provide a subsidy plan which by its terms will induce the States to surrender their constitutional control over public education.
3. Does not contemplate, nor render possible, the nationalization of education and of the teaching force with a horde of "field inspectors, supervisors, and other petty traveling officials."
4. Does not set up conditions or terms which, lacking definite, specific, detailed control, will lead inevitably (or probably) to "tremendous waste of Federal funds."
5. Does not open the door to complete Federal control by laying "a very solid superstructure" therefor.

CORRECT INTERPRETATION OF TOWNER-STERLING BILL

Our study and analysis of the Towner-Sterling Bill leads us to the following interpretation of its provisions, and conclusions:

1. The Bill creates a Department of Education which will make possible the unification of the Government's present educational activities under one executive head.
2. The Bill creates the position of Secretary of Education who becomes the educational executive officer of the Nation.
3. The Secretary of Education is charged with the administration of existing laws relative to educational activities of the Federal Government, and is given the necessary powers of control in the buildings assigned to this Department.

4. The Secretary of Education is authorized to conduct studies and investigations in certain specified fields subject to appropriations made available by Congress for these purposes.

5. The Bill proposes an extension of the principle of Federal aid to the States for (a) the removal of illiteracy, (b) the Americanization of the foreign-born, (c) the promotion of physical education and health service, (d) the training of teachers, and (e) the equalization of educational opportunities. The National benefits that will result from such educational work in the States is ample justification for the expenditure.

6. The control of education (in the sense of specific, definite regulation) is left where it now is; viz., with the States. The only *conditions* under which States are to receive Federal aid are set forth clearly in the Bill. All implications of Federal control are expressly disclaimed and forbidden by the terms of the Bill.

7. The conditions and terms of the bill have been conceived in good faith and are expressed in plain language so that there is little, if any, opportunity for misunderstanding. The Federal Government offers Federal aid, under definitely stated conditions, to States that will undertake to carry on certain specific types of educational endeavor. The idea is that the Federal Government and the States can cooperate in perfect good faith in this matter of public education.

8. The Bill recognizes the fact that every citizen has a dual citizenship—citizenship in the State and citizenship in the Nation. Between these two things, when rightly considered, there can be no fundamental conflict. The States control the education of their citizens. These same citizens constitute the Nation. The Nation is, therefore, dependent upon the education provided by the several States. This dependence is recognized and a plan of cooperation is proposed.

9. Under such a cooperative arrangement, a State is entitled to Federal aid only in so far as it actually does the things for which it receives aid. If it does not perform its duty, a State should not receive Federal aid for its failure to live up to its agreements. Such possible cases of bad faith are safeguarded against in the Bill.

10. Under such a cooperative plan, in which good faith is basal, there must be opportunity for conference and counsel. Minds must meet, plans and procedures must be discussed, not with the idea of coercion, but solely with the idea of making the best contagious. The Bill, therefore, provides for a National Council on Education in which State educational executives, specialists, and laymen shall meet to discuss the promotion and development of education in the United States.

11. Because of the dual form of our governmental relationships, it is of the utmost importance that the boys and girls of today should have the opportunity to develop the capacity to carry on and carry further the civilization of today. Because of the world influence wielded by our Nation, the quality of our citizenship has a significance and influence that

transcend our own territorial limits. We can not blind our eyes to the responsibilities placed upon our Nation by its status in the family of nations.

12. We conclude that a Department of Education can be organized and that the principle of Federal aid can be extended to cover the most glaring of the defects in our State public school systems without interfering with State control of education, and, also, that such cooperation can be carried on with a proper safeguarding of the Nation's financial interest in the Federal aid provided. This is possible because the Towner-Sterling Bill embodies the principle of cooperation between the Federal Government and the several States—cooperation in good faith for worthy common benefits.

APPENDIX

TOWNER-STERLING BILL

H. R. 7—S. 1252
67TH CONGRESS

Introduced in the House by Congressman Horace Mann Towner of Iowa
Introduced in the Senate by Senator Thomas Sterling of South Dakota

A BILL

To create a Department of Education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created an executive department in the Government to be called the Department of Education, with a Secretary of Education, who shall be the head thereof, to be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of \$12,000 per annum, and whose tenure of office shall be the same as that of the heads of other executive departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department. The Secretary of Education shall cause a seal of office to be made for such department of such device as the President shall approve, and judicial notice shall be taken of said seal.

SEC. 2. That there shall be in said department an Assistant Secretary of Education, to be appointed by the President, who shall receive a salary to be determined by Congress. He shall perform such duties as may be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such chiefs of bureaus and clerical assistants as may from time to time be authorized by Congress.

SEC. 3. That there is hereby transferred to the Department of Education the Bureau of Education, and such offices, bureaus, divisions, boards, or branches of the Government, connected with or attached to any of the executive departments or organized independently of any department, as Congress may determine should be administered by the Department of Education, and all such offices, bureaus, divisions, boards, or branches of the Government so transferred by act of Congress shall thereafter be administered by the Department of Education, as hereinafter provided.

All officers, clerks, and employees employed in or by any office, bureau, division, board, or branch of the Government, transferred in accordance with the provisions of this Act to the Department of Education, shall each and all be transferred to said Department of Education at their existing grades and salaries, except where otherwise provided in this Act; and the office records and papers on file pertaining exclusively to the business of any such office, bureau, division, board, or branch of the Government so transferred, together with the furniture and equipment thereof, shall be transferred to said department.

SEC. 4. That the Secretary of Education shall have charge, in the buildings or premises occupied by or assigned to the Department of Education, of the library, furniture, fixtures, records, and other property used therein or pertaining thereto,

and may expend for rental of appropriate quarters for the accommodation of the Department of Education within the District of Columbia, and for the library, furniture, equipment, and all other incidental expenses, such sums as Congress may provide from time to time.

All power and authority conferred by law upon the head of any executive department, or upon any administrative board, over any officer, office, bureau, division, board, or branch of the Government, transferred in accordance with the provisions of this Act to the Department of Education, shall, after such transfer, be vested in the Secretary of Education, and all business arising therefrom or pertaining thereto, and all duties performed in connection therewith shall thereafter be administered by the Department of Education.

All laws prescribing the work and defining the duties and powers of the several offices, bureaus, divisions, boards, or branches of the Government, transferred in accordance with the provisions of this Act to the Department of Education, shall, in so far as the same are not in conflict with the provisions of this Act, remain in full force and effect and be administered by the Secretary of Education, to whom is hereby granted authority to reorganize the work of any and all of the said offices, bureaus, divisions, boards, or branches of the Government so transferred in such way as will in his judgment best accomplish the purposes of this Act.

SEC. 5. That the Department of Education shall conduct studies and investigations in the field of education and report thereon. Research shall be undertaken in (a) illiteracy; (b) immigrant education; (c) public school education, and especially rural education; (d) physical education, including health education, recreation, and sanitation; (e) preparation and supply of competent teachers for the public schools; (f) higher education; and in such other fields as, in the judgment of the Secretary of Education, may require attention and study.

In order to carry out the provisions of this section the Secretary of Education is authorized, in the same manner as provided for appointments in other departments, to make appointments, or recommendations of appointments, of educational attachés to foreign embassies, and of such investigators and representatives as may be needed, subject to the appropriations that have been made or may hereafter be made to any office, bureau, division, board, or branch of the Government transferred in accordance with the provisions of this Act to the Department of Education; and where appropriations have not been made therefor the appropriation provided in section 6 of this Act shall be made available.

SEC. 6. That for the fiscal year ending June 30, 1922, and annually thereafter, the sum of \$500,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to the Department of Education, for the purpose of paying salaries and conducting studies and investigations, and paying all incidental and traveling expenses and rent where necessary, and for the purpose of enabling the Department of Education to carry out the provisions of this Act. And all appropriations which have been made and which may hereafter be made to any office, bureau, division, board, or branch of the Government, transferred in accordance with the provisions of this Act to the Department of Education, are hereby continued in full force and effect, and shall be administered by the Secretary of Education in such manner as is prescribed by law.

SEC. 7. In order to encourage the States to remove illiteracy \$7,500,000, or so much thereof as may be necessary, is authorized to be appropriated annually for the instruction of illiterates fourteen years of age and over. Said sum shall be apportioned to the States which qualify under the provisions of this Act, in the proportions which their respective illiterate populations fourteen years of age and over, not including foreign-born illiterates, bear to such total illiterate population of the United States, not including outlying possessions, according to the last preceding census of the United States. All funds apportioned to a State for the removal of illiteracy shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local

authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section within said State in accordance with the laws thereof.

SEC. 8. That in order to encourage the States in the Americanization of immigrants \$7,500,000, or so much thereof as may be necessary, is authorized to be appropriated annually to teach immigrants fourteen years of age and over to speak and read the English language and to understand and appreciate the Government of the United States and the duties of citizenship. The said sum shall be apportioned to the States which qualify under the provisions of this Act in the proportions which their respective foreign-born populations bear to the total foreign-born population of the United States, not including outlying possessions, according to the last preceding census of the United States. All funds apportioned to a State for the Americanization of immigrants shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section within said State in accordance with the laws thereof.

SEC. 9. That in order to encourage the States to equalize educational opportunities \$50,000,000 or so much thereof as may be necessary is authorized to be appropriated annually to be used in public elementary and secondary schools for the partial payment of teachers' salaries, for providing better instruction and extended school terms especially in rural schools and schools in sparsely settled localities, for the extension and adaptation of public libraries for educational purposes, and otherwise providing equally good educational opportunities for the children of the several States. The said sum shall be apportioned to the States which qualify under the provisions of this Act one-half in the proportions which the number of children between the ages of six and twenty-one of the respective States bears to the total number of such children in the United States, and one-half in the proportions which the number of public-school teachers employed in teaching positions in the respective States bears to the total number of public-school teachers so employed in the United States, not including outlying possessions, said apportionment to be based upon statistics collected annually by the Department of Education. All funds apportioned to a State to equalize educational opportunities shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans and methods for carrying out the purposes of this section within said State in accordance with the laws thereof; *Provided, however*, That the apportionments authorized by this section shall be made only to such States as by law provide: (a) A legal school term of at least twenty-four weeks in each year for the benefit of all children of school age in such State; (b) A compulsory school attendance law requiring all children between the ages of seven and fourteen years to attend some school for at least twenty-four weeks in each year; (c) That the English language shall be the basic language of instruction in the common school branches in all schools, public and private: *Provided*, That apportionment may be made under the provisions of this section to a State prevented by its constitution from full compliance with the foregoing conditions if said conditions are approximated as nearly as constitutional limitations will permit.

SEC. 10. That in order to encourage the States in the promotion of physical education, \$20,000,000, or so much thereof as may be necessary, is authorized to be appropriated annually for physical education and instruction in the principles of health and sanitation. Said sum shall be apportioned to the States which qualify under the provisions of this Act in the proportions which their respective populations bear to the total population of the United States, not including outlying

possessions, according to the last preceding census of the United States. All funds apportioned to a State for the promotion of physical education shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section within said State in accordance with the laws thereof.

SEC. 11. That in order to encourage the States in the preparation of teachers for public-school service, \$15,000,000, or so much thereof as may be necessary, is authorized to be appropriated annually to provide and extend facilities for the improvement of teachers in service and for the more adequate preparation of prospective teachers, and to provide an increased number of trained and competent teachers by encouraging through the establishment of scholarships and otherwise a greater number of talented young persons to make adequate preparation for public-school service. The said sum shall be apportioned to the States which qualify under the provisions of this Act in the proportions which the number of public-school teachers employed in teaching positions in the respective States bear to the total number of public-school teachers so employed in the United States, not including outlying possessions, said apportionments to be based on statistics collected annually by the Department of Education. All funds apportioned to a State for the preparation of teachers for public-school service shall be distributed and administered in accordance with the laws of said State in like manner as the funds provided by State and local authorities for the same purpose, and the State and local educational authorities of said State shall determine the courses of study, plans, and methods for carrying out the purposes of this section within said State in accordance with the laws thereof.

SEC. 12. That in order to receive apportionment from one or more of the appropriations authorized in sections 7, 8, 9, 10, and 11 of this Act a State shall by legislative enactment accept the provisions of this Act and provide for the distribution and administration of such funds as shall be apportioned to said State, and shall designate the State's chief educational authority, whether a State superintendent of public instruction, a commissioner of education, a State board of education, or other legally constituted chief educational authority, to represent said State in the administration of this Act, and such authority so designated shall be recognized by the Secretary of Education: *Provided*, That in any State in which the legislature does not meet within one year after the passage of this Act, the Governor of said State, in so far as he may have authority so to do, may take such action, temporarily, as is herein provided to be taken by legislative enactment in order to secure the benefits of this Act, and such action by the Governor shall be recognized by the Secretary of Education for the purposes of this Act until the legislature of said State shall have met in due course and been in session sixty days.

In any State accepting the provisions of this Act the State Treasurer shall be designated and appointed as custodian of all funds received by said State as apportionments under the provisions of this Act, to receive and provide for the proper custody and disbursement of the same, such disbursements to be made in accordance with the legal provisions of said State.

A State may accept the provisions of any one or more of the respective apportionments authorized in sections 7, 8, 9, 10, and 11 of this Act, and may defer the acceptance of any one or more of said apportionments: *Provided, however*, That no money shall be apportioned to any State from any of the funds authorized to be appropriated by sections 7, 8, 9, 10, and 11 of this Act, unless a sum at least equally as large shall be provided by said State, or by local authorities, or by both, for the same purpose: *And provided further*, That the sum or sums provided by the State and local authorities for the equalization of educational opportunities, for the promotion of physical education, and for the preparation of teachers shall not be less for any year than the amount provided for the same purpose for the fiscal year next preceding the acceptance of the provisions of this Act by said

State: *And provided further*, That no money apportioned to a State under any of the provisions of this Act shall be used by any State or local authority, directly or indirectly, for the purchase, rental, erection, preservation, or repair of any building or equipment, or for the purchase or rental of land, or for the payment of debts or the interest thereon.

SEC. 13. That when a State shall have accepted the provisions of this Act and shall have provided for the distribution and administration of such funds as shall be apportioned to said State, and when the State's chief educational authority designated to represent said State shall so report in writing to the Secretary of Education, and said report shall be approved by the Governor of said State, showing that said State has complied with the provisions of this Act with respect to any one or more of the apportionments authorized in sections 7, 8, 9, 10, and 11 of this Act, and when annually thereafter a like report shall be filed with the Secretary of Education, approved by the Governor of said State, the Secretary of Education shall apportion to said State for the ensuing fiscal year such funds as said State may be entitled to receive under the provisions of this Act, and shall certify such apportionment or apportionments to the Secretary of the Treasury: *Provided*, That all the educational facilities encouraged by the provisions of this Act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State, and the Secretary of Education shall exercise no authority in relation thereto; and this Act shall not be construed to imply Federal control of education within the States, nor to impair the freedom of the States in the conduct and management of their respective school systems.

SEC. 14. That the Secretary of Education is authorized to prescribe plans for keeping accounts of the expenditures of such funds as may be apportioned to the States under the provisions of this Act and to audit such accounts. If the Secretary of Education shall determine that the apportionment or apportionments made to a State for the current fiscal year are not being expended in accordance with the provisions of this Act, he shall give notice in writing to the chief educational authority designated to represent said State, and to the Governor of said State, in duplicate, stating specifically wherein said State fails to comply with the provisions of this Act. If after being so notified a State fails to comply with the provisions of this Act, the Secretary of Education shall report thereon to Congress not later than in his next annual report.

If any portion of the money received by the Treasurer of a State, under the provisions of this Act, for any of the purposes herein named shall, by action or contingency, be diminished or lost, the same shall be replaced by said State, and until so replaced no subsequent apportionment for such purpose shall be made to said State. If any part of the funds apportioned annually to any State for any of the purposes named in sections 7, 8, 9, 10, and 11 of this Act has not been expended for such purpose, a sum equal to such unexpended part shall be deducted from the next succeeding annual apportionment made to said State for such purpose.

SEC. 15. That the Secretary of the Treasury is hereby authorized and directed to pay quarterly to the Treasurer of each State such apportionment or apportionments as the Secretary of Education shall certify that said State is entitled to receive under the provisions of this Act.

SEC. 16. That the chief educational authority designated to represent a State receiving any of the apportionments made under the provisions of this Act shall, not later than September 1 of each year, make a report to the Secretary of Education showing the work done in said State in carrying out the provisions of this Act during the next preceding fiscal year, and the receipts and expenditures of money apportioned to said State under the provisions of this Act. If the chief educational authority designated to represent a State shall fail to report as herein provided, the Secretary of Education may discontinue all apportionments to said State until such report shall have been made.

SEC. 17. That there is hereby created a National Council on Education to consult and advise with the Secretary of Education on subjects relating to the promotion and development of education in the United States. The Secretary of Education shall be chairman of said council, which shall be constituted as follows: (a) The chief educational authority of each State designated to represent said State in the administration of this Act; (b) not to exceed twenty-five educators representing the different interests in education, to be appointed annually by the Secretary of Education; (c) not to exceed twenty-five persons, not educators, interested in the results of education from the standpoint of the public, to be appointed annually by the Secretary of Education. Said council shall meet for conference once each year at the call of the Secretary of Education. The members shall serve without pay, but their actual expenses incurred in attending the conferences called by the Secretary of Education shall be paid by the Department of Education.

SEC. 18. That the Secretary of Education shall annually at the close of each fiscal year make a report in writing to Congress giving an account of all moneys received and disbursed by the Department of Education and describing the work done by the department. He shall also, not later than December 1 of each year, make a report to Congress on the administration of sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of this Act, and shall include in said report a summary of the reports made to him by the several States showing the administration of this Act therein, and shall at the same time make such recommendations to Congress as will, in his judgment, improve public education in the United States. He shall also from time to time make such special investigations and reports as may be required of him by the President or by Congress.

SEC. 19. That this Act shall take effect upon its passage, and all acts or parts of Acts in conflict with this Act are hereby repealed.

MSH 23311

**END OF
TITLE**